

Exhibit C

Page 1

UNITED DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

MARY LALIBERTE and MARIE Case No:
MCKNIGHT, individually and as 4:22-cv-03290
representatives of a class of similarly situated persons, on behalf of the Quanta SERVICES, INC. 401(K) SAVINGS PLAN, CLASS ACTION COMPLAINT Plaintiffs

PRACTICALLY,

v.

Quanta SERVICES, INC.; THE BOARD
OF TRUSTEES OF Quanta SERVICES,
INC.; THE Quanta SERVICES, INC.
401(K) SAVINGS PLAN COMMITTEE;
and DOES No.1-20, Whose Names Are
Currently Unknown,

Defendants.

DEPONENT: MARY LALIBERTE

DATE : AUGUST 27TH, 2024

TIME: 9:00 AM TO 11:44 AM

LOCATION: Pensacola Beach Resort
165 Fort Pickens Road
Pensacola, FL 32561

REPORTED BY: Christopher Tisa
Notary Commission Florida/HH 308731
Commission Expires: Oct. 22nd, 2026

Job No. CS6863203

Page 2

1 APPEARANCES
2

3 On behalf of the Plaintiffs:

4 JOHN C. ROBERTS, ESQ.
5 MILLER SHAH, LLP.
6 1845 Walnut Street, Suite 806
7 Philadelphia, PA 19103
8 866-540-5505
9 jcroborts@millereshah.com

10 On behalf of the Defendants:

11 MATHEW J. MCKENNA, ESQ.
12 MORGAN LEWIS & BOCKIUS, LLP.
13 1111 Pennsylvania Avenue, NW
14 Washington, DC 20004
15 202-739-5412
16 matthew.mckenna@morganlewis.com

17 CAROLYN M. CAMPBELL, ESQ.
18 QUANTA SERVICES
19 2727 North Loop West
20 Houston, TX 77008
21 713-985-6488

Page 3

1

I N D E X

2

TESTIMONY OF MARY LALIBERTE

3

Direct Examination by MR. MCKENNA

4

4

5

JURAT/ERRATA FOR MARY LALIBERTE

103

6

CERTIFICATE OF DIGITAL REPORTER

105

7

CERTIFICATE OF TRANSCRIPTIONIST

106

8

9

10

11

12

E X H I B I T S

13

No.	Description	Page
Exhibit 1	Offer Letter	12
Exhibit 2	Severance Agreement	26
Exhibit 3	Retirement Savings Statement	33
Exhibit 4	Required Disclosure Information	60
Exhibit 5	Summary Plan Description	65
Exhibit 6	Plaintiff Responses to Def. RFP	70
Exhibit 7	Plaintiff Responses to Def. ROG	73

17

18

19

20

21

22

23

Proceedings recorded by digital sound recording;

24

Transcript produced by transcriptionist.

25

Page 4

1 P R O C E E D I N G

2 (On the record at 9:00 am)

3 THE REPORTER: Okay. Good morning. We
4 are now on the record at 9:00 am, on August 27th,
5 2024. This is the deposition of Mary Laliberte. My
6 name is Christopher Tisa, notary public and digital
7 reporter on behalf of Veritext in the State of
8 Florida. I will be capturing the verbatim record of
9 today's proceeding using electronic audio equipment,
10 a computer, and specialized recording software which
11 is not a form of stenography.

12 The witness is currently located in
13 Pensacola, Florida, and has positively identified
14 themselves to me by way of driver's license. Absent
15 any objections at this time, counsel and the witness
16 agree to my remote administration of the oath and
17 the final transcript may be used for all purposes
18 allowed by the local rules of civil procedure. Will
19 you please raise your right hand?

20 MARY LALIBERTE

21 a witness, after first being duly

22 sworn, testified as follows:

23 THE REPORTER: You may I proceed?

24 DIRECT EXAMINATION

25 BY MR. MCKENNA:

Page 5

1 Q Morning, Ms. Laliberte. I know I introduced
2 myself briefly off the record, or, actually, I'm not
3 positive that I did, but. I'm Matthew McKenna. I'm an
4 attorney for Morgan Lewis Bockius, representing Quanta
5 and the defendants in this lawsuit. Can you please state
6 and spell your full name for the record?

7 A Mary Laliberte, spelled M-A-R-Y L-A-L-I-B-E-R-E-
8 T-E

9 Q Thank you. Have you ever gone by any other
10 names?

11 A Maiden name is Blankenship. B-L-A-N-K-E-N-S-
12 H-I-P

13 Q Have you been deposed before?

14 A I have not.

15 Q Okay, so I'm just gonna go over some ground
16 rules just to sort of help level -- and make sure that
17 today runs as smoothly as possible. So, obviously, we're
18 here for your deposition. I'm going to ask you questions
19 about the claims that you're asserting in this lawsuit.
20 And I'm just asking that you provide full and complete
21 answers. Do you understand that?

22 A Yes.

23 Q And I know some of these events might have
24 happened several years ago, so your recollection may be a
25 little bit foggy. I'm just asking you to sort of give

Page 6

1 your best recollection as you remember it.

2 A Okay.

3 Q So I know we already covered. We're here
4 under oath under penalty of perjury. You understand
5 that's the same as if you're testifying in front of a
6 judge in the courtroom?

7 A Yes.

8 Q Throughout the day, I'm going to be asking a
9 lot of questions. It's always possible that I ask a bad
10 question or that you don't hear me or something like
11 that. If I do I just ask that you ask me to repeat or
12 rephrase the question, because if you answer a question,
13 I'm going to assume that you understood it.

14 A Okay.

15 Q Does that make sense?

16 A Yes.

17 Q So we have a court reporter here sort of
18 recording the whole transcript just to make things as
19 clear as possible for the transcript. We just need to do
20 our best not to talk over each other. I know. Sort of
21 normal, everyday conversation. You might predict where
22 I'm going with a question and try to jump in and answer
23 it before I finish. I just ask that you let me finish my
24 questions, and I'll try to do the same with your answers.
25 Okay?

1 A Okay.

2 Q And then also along the lines of the court
3 reporter being here, we want verbal responses, so no
4 nodding your head or shaking your head. It'll be a yes
5 or a no.

6 A Okay.

7 Q Breaks are perfectly fine throughout the day.
8 I'll probably try to take breaks about once every hour.
9 If you need a break sooner than that, just let me know.
10 The only time when I might say no to a break is if I have
11 a question pending. Or maybe if, you know, we're looking
12 at a document and I just have a couple questions left, I
13 might ask to wrap up that document before we take a
14 break.

15 A Okay.

16 Q Throughout the day, your attorney might make
17 some objections. Unless he directs you not to answer,
18 you still have to answer my question. Those objections
19 are just for the record, to preserve them for later so
20 that the judge can rule on them if he needs to.

21 A Okay.

22 Q Have you taken any medication that would
23 impact your ability to recall past events?

24 A I have not.

25 Q Other than the passage of time, can you think

Page 8

1 of anything that would affect your ability to recall past
2 events today?

3 A No.

4 Q Can you think of anything that would affect
5 your ability to testify truthfully?

6 A No.

7 Q What did you do to prepare for your deposition
8 today?

9 A I had a prep meeting with my attorney.

10 Q Just one meeting?

11 A Correct.

12 Q About how long was that meeting?

13 A Roughly an hour.

14 Q Was anybody else present?

15 A Yes.

16 Q Who?

17 A A second attorney.

18 Q Any non attorneys?

19 A No.

20 Q Did you review any documents to prepare for
21 your deposition today?

22 A Yes.

23 Q Do you recall what documents there were?

24 A The filings and the proceedings.

25 Q Anything other than the filings?

Page 9

1 A Exhibits.

2 Q Exhibits to the filings?

3 A Correct.

4 Q Do you recall specifically which exhibits?

5 A They were the documents that I provided.

6 Q So the documents that you produced in this
7 lawsuit?

8 A Correct.

9 Q Anything else?

10 A No.

11 Q Do you have any of those documents with you?

12 A I do not.

13 Q Do you have any other documents or notes with
14 you today?

15 A No.

16 Q Have you provided your attorney with any
17 documents to produce today?

18 A No.

19 Q Other than your attorneys and your spouse,
20 have you discussed today's deposition with anybody?

21 A No.

22 Q More broadly speaking, have you discussed this
23 case with anybody other than your attorneys or your
24 spouse?

25 A No.

Page 10

1 Q You haven't discussed it with the other named
2 plaintiff?

3 A No.

4 Q No current or former coworkers?

5 A No.

6 Q How old are you?

7 A 35.

8 Q And can you just give your current address,
9 please?

10 A 6903 Esther street, Unit A. That's Pensacola,
11 Florida, 32506.

12 Q And are you married?

13 A Yes.

14 Q Is your husband employed?

15 A Yes.

16 Q Where is he employed?

17 A I'm not sure. We are separated.

18 Q Before you filed this lawsuit, have you ever
19 filed any other lawsuit?

20 A No.

21 Q Have you ever had a lawsuit filed against you?

22 A No.

23 Q Have you ever been arrested?

24 A No.

25 Q Have you ever declared bankruptcy?

Page 11

1 A No.

2 Q So now I want to talk a little bit about your
3 employment history and education just to get a better
4 sense of your background. Can you just describe briefly
5 your educational background after high school?

6 A Some college.

7 Q How much is some?

8 A Approximately two years, no degree.

9 Q And where did you attend college?

10 A Pensacola State.

11 Q And what was your major?

12 A Paralegal studies.

13 Q Why did you decide not to finish?

14 A Different career path.

15 Q While you were in college, did you ever take
16 any finance classes?

17 A I did not.

18 Q What about economics?

19 A No.

20 Q Any classes that would involve sort of basic
21 investment principles?

22 A No.

23 Q And do you have any other education other than
24 Pensacola state?

25 A No.

Page 12

1 Q Any professional certifications?

2 A No, not at this time.

3 Q Any sort of like on the job training or
4 vocational training?

5 A No.

6 Q Have you ever attended a financial or
7 investment seminar?

8 A No.

9 Q Any retirement planning seminar?

10 A No.

11 Q Presentation. I'm gonna introduce Exhibit 1.
12 Be a copy of your offer letter with Quanta.

13 MR. ROBERTS: Thank you.

14 THE REPORTER: Thank you.

15 Q Do you recognize this document?

16 A I do.

17 (Exhibit 1 is marked for identification)

18 Q Do you recall receiving it on or around July
19 31st, 2018?

20 A Yes.

21 Q Were you hired in the Pensacola, Florida field
22 office?

23 A I was.

24 Q So, in this offer letter under, your total
25 offer includes, do you see three bullet points?

Page 13

1 A I do.

2 Q Can you just read the second bullet point
3 that starts with retirement savings plan.

4 A Retirement savings plan, 401K with a company
5 match 100% on the first 3% of your contribution and 50%
6 of the next 3% contributed, employee contributes 6%. The
7 company matches 4.5%.

8 Q So at the time you were hired, did you
9 consider that to be a generous benefit?

10 A I believe it to be an acceptable benefit.

11 Q And why do you say it was acceptable?

12 A It seemed to match what other companies were
13 offering at that time.

14 Q And how do you know what other companies were
15 offering?

16 A I had other previous job offers.

17 Q And that was consistent with the other job
18 offers that you received?

19 A Correct.

20 Q When you were hired with Quanta, do you recall
21 attending orientation?

22 A I do not.

23 Q No. Okay. Did you ever discuss your benefits
24 with somebody at Quanta?

25 A I don't believe so.

Page 14

1 Q Did you ask the person who delivered your
2 offer letter about your benefits?

3 A I did not.

4 Q Why not?

5 A I didn't feel like I had a reason to.

6 Q And did you ever discuss the Quanta Services
7 401K savings plan with anybody at Quanta when you were
8 employed there?

9 A I did not.

10 Q And just sort of for ease of reference
11 throughout the day, if I just refer to it as the plan,
12 will you understand that I'm talking about the Quanta
13 401K plan that's at issue in the lawsuit?

14 A Yes.

15 Q Okay. So the position you were offered at
16 Quanta was for permit coordinator, correct?

17 A Correct.

18 Q And what were your job duties as a permit
19 coordinator?

20 A I filed right of way permits as well as
21 ecological permits for placing fiber optic cable.

22 Q And did your job duties change at all during
23 your time with Quanta?

24 A They did not.

25 Q Who did you report to?

Page 15

1 A I do not recall.

2 Q Do you recall if it was the same person for
3 your entire time at Quanta or if it changed?

4 A It changed a few different times.

5 Q Are you familiar with any of the committee
6 members during the time you were employed at Quanta from
7 2018 to 2020?

8 A I am not.

9 Q Do you recognize the name Nick Grindstaff?

10 A I do not.

11 Q Derek Jensen?

12 A No.

13 Q Carolyn Campbell?

14 A No.

15 Q Kim Riddle?

16 A Nope.

17 Q Kip Rupp?

18 A No.

19 Q Reggie Probst?

20 A No.

21 Q Stephen Wilhelm?

22 A No.

23 Q Do you understand since filing this lawsuit
24 that those were all members of the committee at Quanta
25 responsible for managing the 401 plan?

Page 16

1 A I do understand that.

2 Q And you understand that your lawsuit asserts
3 that those individuals were somehow deficient in their
4 monitoring process?

5 A Yes.

6 Q What's your understanding of how they were
7 deficient in monitoring the 401K plan?

8 A They did not monitor it in the best interest
9 of myself or the other party in this case.

10 Q How so?

11 A I feel like there was a loss of monies.

12 Q Did you personally lose money in the 401 plan?

13 A I would assume so.

14 Q And what's that assumption based off of?

15 A I'm not sure.

16 Q Did you ever review your plan account
17 statements while you were a participant?

18 A I did.

19 Q You did. And those plan account statements
20 would have reflected whether your account gained or lost
21 money, correct?

22 A Correct.

23 Q And so if those plan account statements show
24 that your account gained money over the time of your
25 participation, then how -- then what do you base your

Page 17

1 conclusion that you lost money on?

2 MR. ROBERTS: Object to form. Sorry, you
3 can answer it.

4 A Did not build as much as it should have.

5 Q And what's that based on? As much as it
6 should have.

7 A Based on personal opinion.

8 Q Can you give me any specifics about what
9 informs that personal opinion?

10 A I cannot.

11 Q Okay, so it's just a feeling?

12 MR. ROBERTS: Object to form, you can
13 answer.

14 A I don't have an answer for that question. Can
15 you repeat the question?

16 Q Yeah. So I'm just trying to understand, sort
17 of the basis for you concluding that you lost money or
18 sorry, your account didn't grow as much as you believe it
19 should have? I'm trying to understand. How much do you
20 believe it should have grown?

21 A Based on the money that I was contributing and
22 based on what the employer was contributing, it felt like
23 it didn't grow at all.

24 Q So if your plan account statement showed a 20%
25 growth over a quarter, you would still contend that your

Page 18

1 money didn't grow at all?

2 MR. ROBERTS: Object to form.

3 A Correct.

4 Q Where did you work before you joined Quanta?

5 A I worked for Boyles and Boyles PLLC.

6 Q And what were your job duties there?

7 A I started out as a secretary and started doing
8 paralegal work for them.

9 Q And how long were you there?

10 A Approximately two years.

11 Q Why did you leave?

12 A I had my second child.

13 Q And you couldn't work there with two children?

14 A No.

15 Q Why not?

16 A I chose to be a stay at home mother.

17 Q And how long between when you left Boyles and
18 Boyles and you started at Quanta?

19 A Approximately two years.

20 Q While you were at Boyles and Boyles, did you
21 participate in a 401K plan?

22 A I did not.

23 Q Any other retirement plan?

24 A No.

25 Q Was any retirement plan available to you?

Page 19

1 A No.

2 Q So you left Quanta effective May 1st, 2020.

3 Does that sound right?

4 A Yes.

5 Q Can you just walk me through your employment
6 history since leaving Quanta?

7 A Since leaving Quanta, I worked for another
8 engineering firm. From there, I worked for some
9 subcontracting firms, same line of work. And I am
10 currently with utility engineering firm.

11 Q Okay. Do you recall the names of any of those
12 firms?

13 A I worked for Team Fishel.

14 Q Is that F-I-S-C-H-E-L?

15 A I-S-H-E-L.

16 Q And then where did you work after?

17 A A couple of different subcontracting
18 companies.

19 Q You don't remember their names?

20 A I don't.

21 Q And where do you work currently?

22 A I currently work for Engineering Associates .

23 Q And what's your job title?

24 A I'm a permit manager.

25 Q And what are your job duties as a permit

Page 20

1 manager?

2 A I manage a team of approximately 24 members
3 and oversee day to day tasks.

4 Q What types of day to day tasks do you oversee?

5 A The permitting of towns, cities within the
6 state of North Carolina, meeting with clients and
7 scheduling.

8 Q I think we might have covered this earlier,
9 off the record, but is that a fully remote position?

10 A Correct.

11 Q Do you participate in a 401K plan with
12 Engineering Associates ?

13 A I do.

14 Q When did you start participating in that plan?

15 A December of 2023.

16 Q What investments are offered in that plan? To
17 the best of your recollection?

18 A I am not entirely sure.

19 Q Do you know what investments your money is
20 invested in?

21 A I do not.

22 Q Why not?

23 A I trust the board members to handle that for
24 me. That's the option I selected.

25 Q Are you familiar with the term QDIA or a

Page 21

1 qualified default investment option or alternative?

2 Sorry.

3 A I am not.

4 Q Do you know if the investment that you are
5 invested in with Engineering Associates is the QDIA for
6 the plan?

7 A I do not.

8 Q Do you know how your investments in the
9 Engineering Associates 401K plan have performed since
10 December 2023?

11 A I do not.

12 Q Do you know if those investments have grown as
13 much as you think they should have?

14 A To my knowledge, I believe so.

15 Q And what's that based on?

16 A Personal opinion.

17 Q But I think you just said you don't know how
18 they performed, right?

19 A Correct. But they have shown more growth than
20 what the investment with Quanta did.

21 Q And how do you know that?

22 A Based on the numbers that I've seen compared
23 to what the numbers were with the Quanta 401K.

24 Q And that's based on your plan account
25 statements or something else?

Page 22

1 A Correct.

2 Q Have you produced those plan account
3 statements in this litigation?

4 A I have not.

5 Q You understand that they were requested?

6 A For the 401K that I currently have?

7 Q Yes.

8 A No. I believe that whenever this was
9 originally filed, I did not have the 401K.

10 Q Okay. You understand that under the federal
11 rules of civil procedure, you have a duty to update your
12 discovery responses as new information becomes relevant?

13 A Oh, well, I am now.

14 Q Well, connect with John off the record, but I
15 think we're going to want those plan account statements.

16 A Sure.

17 Q Thank you. I just want to confirm you don't
18 know what investment options you're invested in, correct?

19 A That's correct.

20 Q Do you have any other retirement savings?

21 A No.

22 Q Were you invested in a 401K plan with Team
23 Fishel or any of the other subcontracting firms?

24 A No.

25 Q Any other retirement savings with those

Page 23

1 companies?

2 A No.

3 Q And so I think with the Engineering Associates
4 plan, do you believe that plan is prudently managed?

5 MR. ROBERTS: Object to form.

6 A Unsure.

7 Q And if that plan weren't prudently managed,
8 would you sue them as well?

9 A Can you repeat the question?

10 Q Sure. So -- and you just said you were unsure
11 if the Engineering Associates plan would prudently
12 manage or not.

13 A Mm-hmm.

14 Q I'm just asking, if you discovered or you
15 believed that it was not prudently managed, would you
16 also file a lawsuit against them?

17 A Yes. If it was mismanaged. Yes.

18 Q And how would you figure out whether or not it
19 was mismanaged?

20 A I think that would be up to legal counsel.

21 Q You wouldn't take any steps on your own to
22 probe whether it was mismanaged or not?

23 MR. ROBERTS: Object to form. You can
24 answer.

25 A Yes, I would.

Page 24

1 Q Okay.

2 A What steps would you take?

3 A Seeking legal advice.

4 Q And have you done so, with respect to the
5 Engineering Associates plan?

6 A No.

7 Q Do you have an understanding of what the
8 Engineering Associates plans fiduciary process consists
9 of?

10 A I do not.

11 Q Do you have an understanding of what the
12 Engineering Associates 401K plan does differently than
13 the Quanta 401K plan?

14 A I don't.

15 Q And if it turned out that they did things
16 similarly to how the Quanta 401K plan operated, you would
17 sue them.

18 MR. ROBERTS: Object to form.

19 A I'm unsure.

20 Q Have you ever thought about seeking legal
21 advice about the Engineering Associates 401K plan?

22 A No.

23 Q Why not?

24 A I believe that it's being invested correctly.

25 Q And that's just based on the growth in your

Page 25

1 plan account statements?

2 A Correct.

3 Q So if that growth was similar to the growth of
4 your account in the Quanta plan, would your conclusion
5 about Quanta change?

6 MR. ROBERTS: Object to form.

7 A It's undetermined.

8 Q And why is it undetermined?

9 A I'm not sure. Can you repeat the question,
10 please?

11 Q Sure. So the question was.

12 MR. MCKENNA: Sorry, can you read back the
13 question, actually, so I don't butcher it.

14 (Question clarified by Reporter)

15 Q The question was, if the growth in your -- I
16 keep forgetting your current employer's name.

17 MR. ROBERTS: Engineering associates.

18 Q If the growth in your Engineering Associates
19 plan was similar to the growth in the Quanta plan that
20 you experienced, would that change your conclusion that
21 the Engineering Associates plan was prudently managed?

22 A No.

23 Q Why not?

24 A I feel like that's kind of speculation at this
25 point. I don't think that that would have anything to do

Page 26

1 with what Quanta has invested in and how they mismanaged.

2 Q So you don't think that the growth in plan
3 assets has anything to do with mismanagement of the plan.

4 MR. ROBERTS: Object to form. Misstates
5 the testimony. You can answer.

6 A No.

7 Q And sitting here today, you don't know any of
8 the investments that are offered in your current 401K
9 plan?

10 A No.

11 Q Do you know if you're -- do you know if the
12 funds you're invested in are Target-Date Funds?

13 A I do not.

14 Q Okay, I'm gonna introduce Exhibit 2. This is
15 a copy of the -- sorry about that. Here's Exhibit 2. Do
16 you recognize this document?

17 A I do.

18 (Exhibit 2 is marked for identification)

19 Q If you turn to the last page of this document,
20 do you see a signature and a date there?

21 A I do.

22 Q Is that your signature?

23 A It is.

24 Q And it's dated May 5th, 2020, right?

25 A Yes.

Page 27

1 Q Can you read paragraph two on the first page
2 for me?

3 A The severance benefits?

4 Q Yes, please.

5 A Subject to the terms of this agreement, the
6 company will pay employee \$2,843 less acceptable taxes.
7 The severance benefits. Employee acknowledges and agrees
8 that the severance benefits are being provided in
9 consideration for employees execution of this agreement.

10 Q And did you receive that payment?

11 A I did.

12 Q Do you recall when you received it?
13 Approximately?

14 A Was sometime in June of 2020.

15 Q Can you turn to the second page of this
16 agreement and can you just read through paragraph seven
17 and subpart A to yourself? You don't need to read that
18 into the record.

19 A Yes.

20 Q What do you understand that paragraph?
21 Paragraph seven and subpart A to mean?

22 A It looks like it's basically a release of any
23 kind of suit against Quanta.

24 Q And does that include suits under ERISA?

25 A I do not see where it states that.

Page 28

1 Q Can you look so in subpart A about five lines
2 down, do you see where it says but Employee Retirement
3 Income Security act of 1974?

4 A Yes.

5 Q Do you understand that that's ERISA?

6 A Yes.

7 Q So you understand that by signing this
8 severance agreement, you agreed to release Quanta from
9 any and all claims arising under ERISA, correct?

10 MR. ROBERTS: Objective to form.

11 A I do. But I don't think that this qualifies
12 for the misinvestment of the 401K plan.

13 Q And why don't you think that qualifies?

14 A It doesn't state anything regarding that.

15 Q But it does say any claims relating to or
16 arising out of any aspect of employees employment with
17 the company or the termination of such employment,
18 including, without limitation, Dot, Dot, dot, the
19 Employee Retirement Income Security act of 1974. You see
20 that?

21 A I do, but I think this more -- I think the
22 case is more a fact that it was misinvested.

23 Q So you don't think that this case falls within
24 the scope of this release?

25 A I do not.

1 Q And without telling me -- without telling me
2 any of the details of the conversation, have you
3 discussed that with your attorneys?

4 A I have.

5 Q So in exchange for this release, you received
6 a payment of \$2,843 less taxes, right?

7 A Correct.

8 Q And you don't believe that the lawsuit that
9 we're here talking about today falls within the scope of
10 this release?

11 A I do not.

12 Q And that's just based on the information
13 shared by your attorneys?

14 A That and personal belief.

15 Q And what informs your personal belief?

16 A I believe that myself and the other party
17 involved in this case just didn't get what we were meant
18 to receive.

19 Q In what way?

20 A In means of financial.

21 Q Sorry, can you say that again?

22 A Just in the way of financial.

23 Q Financial what?

24 A As far as the 401K, what it should have paid
25 out, it didn't cover what it should have.

Page 30

1 Q And that's just based on your belief that it
2 should have done better?

3 A Correct.

4 Q Can you turn to the next page? Page three.
5 And the first paragraph just below subpart D. Can you
6 just read that first sentence for me?

7 A To the extent any claim is not releasable.
8 Employee acknowledges that the payments and consideration
9 received hereunder more than offset any monetary sums
10 owing to employee from any non-releasable claim.

11 Q Okay. What do you understand that sentence to
12 mean?

13 A Can I reread it?

14 Q Sure.

15 A So basically, they're saying that they're not
16 going to pay anything more than what was released.

17 Q And so you believe that this lawsuit is a non-
18 releasable claim, correct?

19 A I'm unsure.

20 Q But you don't think that this lawsuit falls
21 within the scope of the released claims that we're
22 discussing a moment ago in paragraph seven, correct?

23 A Correct.

24 Q And so if your claim in this lawsuit is a non-
25 releasable claim, then according to this sentence, you

Page 31

1 acknowledged that the payments you received under the
2 terms of the severance agreement offset any sums owing to
3 you for that claim. Correct?

4 MR. ROBERTS: Objective to form.

5 A I'm unsure.

6 Q Do you understand that the \$2,843 severance
7 payment you received exceeds the entire value of your
8 plan account?

9 A I'm aware.

10 Q And this sentence we're just looking at now
11 says that that severance payment offsets any amount you
12 might be owed in the lawsuit, correct?

13 A Correct.

14 Q So what exactly are you seeking to recover in
15 the lawsuit?

16 A I'm unsure at this time.

17 Q When did you file this lawsuit?

18 A Approximately three years ago. I'm not sure
19 when the first document was filed.

20 Q And so roughly three years in, you're still
21 unsure what you're looking to recover in the lawsuit?

22 A I'm looking to recover some sort of financial
23 means.

24 Q But if the amount that you are looking to
25 recover is below the severance payment that you received

Page 32

1 here, then you won't get anything, right?

2 MR. ROBERTS: Object to form.

3 A Can you repeat that, please?

4 Q Sure. So if the amount that you're seeking to
5 recover in the lawsuit is less than the severance payment
6 that you received, then according to this sentence here,
7 that severance payment was an offset for the amount
8 you're seeking?

9 A I don't agree with that.

10 Q And why not?

11 A That doesn't -- I just don't agree with it.
12 Personal opinion.

13 Q Okay, so it's just your personal opinion,
14 reading the severance agreement.

15 A Mm-hmm.

16 Q You don't think that's correct?

17 A No.

18 Q Do you think that your alleged damages in this
19 lawsuit exceed \$2,843?

20 A Yes.

21 Q And what's the basis for that?

22 A Just the simple fact of I expected my 401K to
23 gain. It did not, and it put me out money that I
24 possibly could have had now to build a retirement plan.

25 Q How long were you a participant in the Quanta

Page 33

1 401K plan?

2 A I'm not sure. To be honest, I don't remember.

3 Q Do you recall approximately how much you
4 invested in the Quanta 401K plan?

5 A I do not.

6 Q Introduce the next exhibit. Not going to
7 stand up this time because that wreaks havoc on the mics.
8 So this is Exhibit 3. Do you recognize this document?

9 A I do.

10 (Exhibit 3 is marked for identification)

11 Q And what is it?

12 A It's the retirement savings statement.

13 Q And this is your plan account statement?

14 A Yes.

15 Q Give me just one sec. How did you receive
16 these plan account statements?

17 A Via email.

18 Q Did you ever receive hard copies?

19 A I don't believe so.

20 Q And were these also available to you on the
21 plan website?

22 A Yes.

23 Q What did you do with your account statements
24 when you received them?

25 A I saved them in an email.

1 Q And I'm going to refer to what are called
2 Bates numbers. It's basically just the number that we
3 stamp on documents that are produced in litigation for
4 internal tracking purposes. So if you look on the bottom
5 right hand of the page, do you see where it says Quanta
6 underscore and then six digits?

7 A Yes.

8 Q Okay, so that's the Bates number. So can you
9 please turn to Bates number 2037? Do you understand that
10 this is your account statement for quarter 2, 2020?

11 A Yes.

12 Q And do you see under your account summary
13 where it says your personal rate of return?

14 A Yes.

15 Q And do you see for this period for quarter 2,
16 2020 where it says 19.9%?

17 A Yes.

18 Q So you understand that your account grew by
19 19.9% during that quarter?

20 A Yes.

21 Q Were you happy with that return?

22 A No.

23 Q Why not?

24 A Seems like it should have been more.

25 Q And what's the basis for saying it seems like

Page 35

1 it should have been more?

2 A Based on personal opinion.

3 Q Can you identify any specific investment that
4 should have returned more or that would have returned
5 more?

6 A I cannot.

7 Q So it's just your thinking, your feeling?

8 A Yeah.

9 Q Do you know how the stock market did during
10 that same period?

11 A I do not.

12 Q Do you understand that this period would have
13 overlapped at the beginning of the Covid-19 pandemic?

14 A I do.

15 Q And you understand that was a volatile period
16 for the market?

17 A I do.

18 MR. ROBERTS: Object the form. Sorry, go
19 ahead.

20 Q So under market value of your account, on the
21 same page, do you see where it shows you're invested in
22 the Fidelity Freedom 2055K fund?

23 A Yes.

24 Q Just turn to the next page for me. Do you see
25 under your contribution elections as of 10/03/2022? It's

Page 36

1 around the middle of the page.

2 A Which am I looking at. I apologize.

3 Q Sorry. So it's the section, the header is
4 your contribution elections as of 10/3/2022 --

5 A Yes. Got it.

6 Q Okay. And do you see underneath
7 contributions, it shows inception to date? Do you see
8 that line?

9 A Yes.

10 Q And what were your individual salary deferral
11 contributions from the time you joined the plan through
12 June 30th 2020?

13 A \$631.24.

14 Q What was Quanta's employer match during that
15 same time?

16 A \$473.43.

17 Q And do you see underneath your account
18 activity?

19 A Yes.

20 Q Where it says withdrawals?

21 A Yes.

22 Q And how much did you withdraw from the plan at
23 that time?

24 A \$1,284.56.

25 Q So, understanding that you withdrew \$1,284.56

Page 37

1 from the plan. Earlier I believe you said that you, the
2 401K plan, didn't get you the return that you think it
3 should have. Is that correct?

4 A Yes.

5 Q Okay. And you think that your return should
6 have exceeded your severance payment of \$2,843, correct.

7 MR. ROBERTS: Object the form.

8 A Correct.

9 Q So you think that the value of your account
10 should have more than doubled?

11 A Correct.

12 MR. ROBERTS: Object to form.

13 Q And what's that based on?

14 A Personal opinion.

15 Q Do you have any understanding whether there
16 was any investment available on the market that would
17 have more than doubled your money, more than doubled your
18 return during that time?

19 MR. ROBERTS: Object to form.

20 A I do not.

21 Q You understand that your counsel has engaged
22 experts to assist in the litigation of this matter,
23 right?

24 A Yes.

25 Q Have you read any of those expert reports?

Page 38

1 A Some.

2 Q Do you recall which ones?

3 A I do not.

4 Q Have you ever spoken with any of the experts?

5 A No.

6 Q Do you know whether any of your experts opine
7 that there was an investment available during this time
8 period that would have more than doubled your rate of
9 return?

10 MR. ROBERTS: Object to form.

11 A No.

12 Q And if your experts haven't identified any
13 such investment, then how would that change your
14 conclusion that you think your damage is exceeded -- your
15 personal damages exceeded \$2,843.

16 MR. ROBERTS: Object to form.

17 A I'm unsure.

18 Q So if there was no such investment available,
19 would you still think that your damages exceeded \$2,843?

20 MR. ROBERTS: Object to form.

21 A Yes.

22 Q Why?

23 A It's just based on the fact that I trusted my
24 money with the representatives of Quanta, and it was
25 mismanaged.

Page 39

1 Q So even if there was no available investment
2 on the market, that would have more than doubled your
3 money during that timeframe, you still think that the
4 plan was managed imprudently?

5 A Correct.

6 Q Just based on your personal belief that you
7 should have gotten more money?

8 A Correct.

9 Q And you understand that the \$1,284.56 that you
10 withdrew was more than double your personal salary?
11 Deferral investments. Correct?

12 A I'm aware.

13 Q And you still don't think that that's enough?

14 A No.

15 Q Looking at the next page, base number 2039.
16 Do you see the header that says a message from Quanta
17 Services?

18 A I do.

19 Q Can you just read that sentence for me?

20 A To make changes to your account or for
21 questions about the statement, call the customer service
22 number.

23 Q Did you ever call that customer service
24 number?

25 A I did not.

Page 40

1 Q Why not?

2 A I didn't believe I had a reason to.

3 Q But you said you were reviewing your plan
4 account statements when you received them, correct?

5 A Yes.

6 Q And so you saw the gains on your account at
7 that time?

8 A Yes.

9 Q So at the time you received this plan account
10 statement, did you believe that that was a reasonable
11 gain?

12 A At that time. Yes.

13 Q What changed?

14 A When I was contacted by legal counsel.

15 Q Okay, so you only don't believe that that was
16 a fair game because your legal counsel told you it
17 wasn't?

18 MR. ROBERTS: Object to form.

19 A Correct.

20 Q Just going back to Exhibit 2 briefly, the
21 severance agreement. Can you turn to -- it's going to be
22 Bates stamped 2026. Can you just read paragraph ten?

23 A Knowing an involuntary waiver. Not
24 notwithstanding any other provisions of this agreement to
25 the contrary, employee agrees that the agreement

Page 41

1 constitutes a knowing involuntary waiver of all rights to
2 claim -- claims employee may have against the released
3 parties. The company hereby advises employee to consult
4 with an attorney prior to executing this agreement.

5 Q Did you consult with an attorney prior to
6 executing the agreement?

7 A I did not.

8 Q Why not?

9 A I didn't believe that I needed to.

10 Q Even though you were advised to do so in this
11 paragraph?

12 A Correct. I trusted Quanta.

13 Q And if you consult an employee, or, sorry. If
14 you consulted an attorney and they told you that this
15 lawsuit fell within the scope of the released claims,
16 would you have still filed this lawsuit?

17 Object to form calls for hypothetical.

18 A I would.

19 Q Even if it was a released claim?

20 MR. ROBERTS: Object to form.

21 A Yes.

22 Q Can you turn to -- it's going to be 2028 is
23 the bates number. And can you just read paragraph 18 for
24 me?

25 A Acknowledgment. Employee expressly

Page 42

1 acknowledges and agrees that employee has carefully read
2 this agreement, that employee fully understands the
3 terms, conditions and significance of this agreement,
4 that the company has advised employee of employees right
5 to consult with an attorney concerning this agreement and
6 that employee has executed this agreement voluntarily,
7 knowing and with such advice of an attorney as employee
8 has deemed appropriate.

9 Q Did you carefully read the agreement before
10 you executed it?

11 A I did.

12 Q And you fully understood the terms, conditions
13 and significance of the agreement at that time?

14 A Yes.

15 Q How did you first learn that you were eligible
16 to participate in the plan.

17 A It was offered. I believe HR may have reached
18 out.

19 Q Do you recall who had at HR reached out?

20 A I do not.

21 Q Do you recall when they reached out?

22 A I do not.

23 Q Would it have been shortly after you joined
24 Quanta?

25 A Yes.

Page 43

1 Q You joined Quanta in 2018, correct?

2 A Correct.

3 Q And you didn't begin participating in the plan
4 until 2020, right?

5 A Correct.

6 Q Why did you wait until 2020 to begin
7 participating?

8 A I just didn't have the means to contribute
9 until that time.

10 Q And what changed in 2020, that meant you did
11 have the means? Did you receive a pay increase or
12 anything?

13 A I did.

14 Q And so once you had the pay increase, then you
15 felt you had the means to participate?

16 A Correct.

17 Q Do you recall how you made your investment
18 choices in the plan?

19 A I believe I selected the option of where they
20 handled everything.

21 Q Do you remember what that option said?

22 A I do not.

23 Q Do you recall, sort of, I guess, logically,
24 how you made your investment elections. Was it a paper
25 form, online, over the phone?

Page 44

1 A It was definitely electronically.
2 Q Do you think it was through the plan website?
3 A I'm unsure.
4 Q Did you ever make any changes to your
5 investments during the time you were a participant in the
6 plan?
7 A No.
8 Q How come?
9 A I didn't feel like there was a need to.
10 Q Because at the time, you believed that you
11 were getting a reasonable return?
12 MR. ROBERTS: Object to form.
13 A Correct.
14 Q Did you ever look at the performance of any
15 other investments available in the plan?
16 A I did not.
17 Q So you don't know whether there were any other
18 investments in the plan that outperformed your
19 investment?
20 A I do not.
21 MR. MCKENNA: Been going about 50 minutes,
22 I think, before I jump into the next line of
23 questioning, this might be a good point for a quick
24 break. In 5, 10 minutes.
25 THE REPORTER: We're going off the record

Page 45

1 at 9:51 am.

2 (Recess taken)

3 THE REPORTER: We're going back to the
4 record at 10:00 am.

5 FURTHER DIRECT EXAMINATION

6 BY MR. MCKENNA:

7 Q So just stepping back a little bit, can you
8 just give me, in your own words, what this lawsuit's
9 about?

10 A So basically, Quanta representatives did not
11 file the 401K investments or monitor the investments
12 appropriately for not only myself, but everyone.

13 Q Okay. And what specifically do you contend
14 that Quanta did wrong in monitoring the 401K?

15 A Feel like they mismanaged and mis-monitored.

16 Q How?

17 A Felt like if they had a better kept track of
18 it, there would have been more gains.

19 Q What do you mean by if they had kept better
20 track of it.

21 A As far as making sure the investments were
22 appropriate.

23 Q And what could they have done better?

24 A They could have put the funds different
25 places, I feel.

Page 46

1 Q Do you understand which investments your
2 lawsuit's challenging?

3 A Specifically? No.

4 Q But you understand that you're not challenging
5 all of the investments offered in the plan, right?

6 A Correct.

7 Q Do you understand that your lawsuit's
8 challenging the Fidelity Freedom Funds?

9 A I feel like it's what they put into the
10 Fidelity Freedom Funds.

11 Q What do you mean by that?

12 A Not necessarily suing Fidelity, but Quanta.

13 Q So suing Quanta for offering the Fidelity
14 Freedom Funds in the plan? Is that what you mean?

15 A Yes.

16 Q Do you know which other investments you're
17 challenging?

18 A I do not.

19 Q Are you familiar with the American Beacon
20 Small Cap Value Fund?

21 A I am not.

22 Q And so you don't know whether your lawsuit is
23 challenging that fund?

24 A I do not.

25 Q Are you familiar with the DFA International

1 Small Cap Value Fund?

2 A No.

3 Q So you don't know if your lawsuit's
4 challenging that fund?

5 A No.

6 Q In what way were the Fidelity Freedom Funds a
7 bad investment for the plan?

8 A I just feel like they weren't managed
9 appropriately as far as what the investments were in.

10 Q I think you said that a couple of times what
11 the investments were in. And what do you mean by that?

12 A I feel like if there were other options, or
13 maybe if they had looked to see what was gaining, they
14 could have placed the funds in different areas.

15 Q Do you understand that it's Fidelity who
16 decides how to invest the money in the Freedom Funds?

17 A Yes.

18 Q But you're not suing Fidelity, correct?

19 A Correct.

20 Q So what is it that Quanta, in your opinion,
21 did wrong?

22 A I feel like they should have monitored what
23 Fidelity was investing in.

24 Q Do you know that they weren't doing that?

25 A Not specifically.

Page 48

1 Q Do you know what steps Quanta took to monitor
2 the Fidelity Freedom Funds?

3 A I do not.

4 Q Can you tell me what they should have done
5 better?

6 A I cannot.

7 Q Why not?

8 A I'm not sure what the proper steps they should
9 have been taking were.

10 Q So how do you know that they weren't taking
11 the proper steps?

12 A I don't.

13 Q Okay, so you filed a lawsuit alleging that
14 Quanta and the committee were improperly monitoring the
15 Freedom Funds, but you don't know that they weren't.

16 MR. ROBERTS: Object to form.

17 A Correct.

18 Q And sitting here today, can you identify
19 anything in particular that Quanta didn't do?

20 A Nothing in particular.

21 Q And can you identify anything in particular
22 that Quanta should have done?

23 A I cannot.

24 Q How did Quanta's actions affect you
25 personally?

Page 49

1 A It's not getting the benefits that I feel like
2 I was entitled to.

3 Q I think we discussed earlier that's just based
4 on your opinion, your feeling?

5 A Correct.

6 Q Outside of this lawsuit, did you ever complain
7 to anybody else about the Freedom Funds?

8 A I did not.

9 Q Why not?

10 A Didn't feel like I had a reason to.

11 Q And is that because -- I think we discussed
12 earlier, before you spoke to your attorneys, you thought
13 that to Fidelity Freedom Funds for returning a reasonable
14 rate of return.

15 A Correct. And I don't discuss my monetary
16 issues with anyone else.

17 Q Not even people in the benefits department at
18 work?

19 A I just didn't feel like there was a need to
20 discuss with them.

21 Q I think we looked earlier in your plan account
22 statements. There was a number that you could have
23 called to speak with somebody at Fidelity?

24 A Correct.

25 Q You never felt like you needed to speak with

Page 50

1 Fidelity about the performance of the Freedom Funds,
2 correct?

3 A No. At the time, I felt like everything was
4 Kosher.

5 Q And the only thing that's changed between then
6 and now is that you spoke to your attorneys?

7 A Correct.

8 Q But if you did ever have concerns about fund
9 performance while you were a participant in the Quanta
10 plan, you understand that there were avenues that you
11 could have reached out to?

12 A Yes.

13 Q You could have reached out to somebody in
14 benefits at a Quanta?

15 A Yes.

16 Q You could have reached out to Fidelity?

17 A Yes.

18 Q You could have reached out and asked to be put
19 in touch directly with the committee?

20 A Yes.

21 Q But you didn't do any of that?

22 A I didn't feel the need to. I trusted them.

23 Q So I think we've been talking a lot about the
24 rate of return. Do you think that any of the investments
25 options in the plan were too expensive?

Page 51

1 A I'm not sure.

2 Q Do you have any understanding of what a
3 reasonable investment cost would be?

4 A I do not.

5 Q So you have no basis one way or the other, to
6 say whether a plan investment too expensive or not?

7 MR. ROBERTS: Object to form.

8 A I do not.

9 Q Do you know what your lawsuit says about
10 investment costs?

11 A I do not.

12 Q Have you read the complaint in this lawsuit?

13 A I have.

14 Q All of it.

15 A The majority.

16 Q Do you recall any parts that you specifically
17 didn't read?

18 A No.

19 Q When did you read it?

20 A It's been a couple of months.

21 Q Did you read it before the lawsuit was filed?

22 A Yes.

23 Q And you reviewed it sometime in the last
24 couple months?

25 A Yes.

Page 52

1 Q Do you recall why you reviewed it?

2 A I just wanted to make sure I was fresh on the
3 case.

4 Q Was that spurred by anything in particular?

5 A No.

6 Q Did you review it to prepare for your
7 deposition today?

8 A I did.

9 Q And was that a few months ago or more
10 recently?

11 A More recently. It was more just a Cliff notes
12 version.

13 Q You say a Cliff notes version. Was that an
14 actual summary that was prepared of the complaint?

15 A No.

16 Q Or you just skimmed the complaint?

17 A Just skimmed.

18 Q Do you understand the difference between an
19 actively managed fund and a passively managed fund?

20 A I do not.

21 Q Do you have an understanding of what your
22 lawsuit says about active versus passive management?

23 A I do not.

24 Q So you have no opinion of which one is better?

25 A I don't.

Page 53

1 Q I think earlier we looked at your plan account
2 statements, and it showed the Fidelity Freedom 2055 fund.
3 Do you remember that?

4 A Yes.

5 Q Did you ever invest in any other fund while
6 you were a participant in the plan?

7 A Not to my knowledge.

8 Q Do you consider yourself to be a knowledgeable
9 investor?

10 A I do not.

11 Q Why not?

12 A It's not really in my wheelhouse.

13 Q So while you were a participant in the plan,
14 when you were looking at your plan account statements,
15 what were you looking for? Was it just performance or
16 anything else?

17 A I would say just performance.

18 Q And was that just the current quarter's
19 performance, or were you looking at historical
20 performance?

21 A I didn't look at historical performance.

22 Q Did you ever consider the risk of your
23 assessment of your investments?

24 A I did not.

25 Q Did you ever consider asset style?

Page 54

1 A I'm unsure what that is.
2 Q What about asset class?
3 A I'm unsure what that is as well.
4 Q I think we covered this. But you didn't look
5 at fees?

6 A No.

7 Q And you didn't look at management style,
8 active versus passive?

9 A No.

10 Q How come you didn't look at any of those
11 factors?

12 A I'm not sure what they are.

13 Q Do you have any understanding of the
14 relationship between risk and returns?

15 A I do not.

16 Q Do you understand that different investors
17 might value different factors when they're choosing an
18 investment option?

19 A That would make sense.

20 Q So some might want to take on more risk than
21 others. Do you have an understanding of the other
22 investment options that were offered in the plan other
23 than the Freedom Funds?

24 A I do not. I trusted Quanta to figure all that
25 out for me. That was the option that I selected strictly

Page 55

1 for the fact that I do not have a very wide understanding
2 of investments.

3 Q Okay. So you don't have any basis to say
4 whether the other investment options in the plan were
5 appropriate or not?

6 A Correct.

7 Q You can only speak to the Fidelity Freedom
8 Funds?

9 MR. ROBERTS: Object to form.

10 A Correct.

11 Q I think we covered this earlier, but I just
12 want to confirm you think the Fidelity Freedom Funds were
13 an inappropriate plan investment option because they
14 didn't give you as high of a rate of return as you
15 thought they should have?

16 A Correct.

17 Q And the basis for that opinion is just your
18 feeling?

19 MR. ROBERTS: Object to form, misstates
20 testimony.

21 A Correct.

22 Q Do you rely on any publications or other
23 materials when you make investment decisions?

24 A I do not.

25 Q What about with your current 401K plan? What

Page 56

1 did you consider before you chose your investments there?

2 A I did not use any material before
3 consideration.

4 Q You understand that there's publicly available
5 information you can look at regarding different
6 investment options? Pros and cons.

7 A I do.

8 Q Have you ever done any financial or retirement
9 planning?

10 A No.

11 Q Outside of your current 401K plan, do you have
12 any other savings or retirement?

13 A I have stock.

14 Q Stock in what company?

15 A Dycor.

16 Q Sorry, can you say that again?

17 A Dycor.

18 Q Can you spell that for me?

19 A D-Y-C-O-M.

20 Q How'd you get that stock?

21 A I purchased it through my employer.

22 Q Is that through the employer's 401K plan or
23 separate?

24 A It's separate.

25 Q And what made you choose to purchase that

Page 57

1 stock?

2 A It looked like a good option.

3 Q Based on what?

4 A Based on the amount of money that that company
5 makes per year.

6 Q And did you look at anything else before you
7 made that purchase?

8 A I looked at the numbers.

9 Q What numbers did you look at?

10 A Information provided by my company.

11 Q And was that just on the numbers? Were they
12 on company performance or the stock's performance or
13 something else?

14 A Stock performance.

15 Q Historical performance?

16 A Historical and current.

17 Q I think we were talking a moment ago when it
18 came to the plans investments. You didn't look at
19 historical performance, correct?

20 A For the 401k?

21 Q Yep.

22 A No, I did not.

23 Q How come you treat these differently when
24 you're considering whether to invest?

25 A I feel like I gained more knowledge since I

1 purchased the stock, so hence the research.

2 Q Have you gone back to look at your current
3 401K investments to look at historical performance?

4 A I have not.

5 Q Do you think you're gonna?

6 A Yes.

7 Q And I don't think we've received any documents
8 about your investment in Dycom stocks. I think we'll
9 probably also request those. I think those are
10 responsive to one of the RFP's, but we can get to that
11 later. Okay. So other than your 401K plan and the Dycom
12 stock, do you have any other savings or investments?

13 A No.

14 Q And when did you purchase that stock?

15 A December 2023.

16 Q And have you done anything with it since then?

17 A No.

18 Q Okay. So you're just holding. Have you
19 purchased any more or considered purchasing? Purchasing
20 anymore?

21 A Considered.

22 Q But you haven't pulled the trigger yet?

23 A No.

24 Q So when you were a participant in the Quanta
25 plan, how often did you review your plan investments?

1 A Every couple months.

2 Q And what would you do to review your plan
3 investments?

4 A I think I misunderstood the question. I was
5 thinking that you were saying statements. As far as the
6 actual investments, I don't think that I reviewed those.

7 Q Okay, so you just reviewed the quarterly
8 statements?

9 A Yes.

10 Q Would you review those, sort of when they came
11 in, once every quarter?

12 A Yes.

13 Q Did you do anything in between the quarterly
14 statements?

15 A No.

16 Q Did you ever visit the plan's website?

17 A I did.

18 Q How often?

19 A Probably just a couple of times.

20 Q And what was the purpose of your -- a couple
21 of visits to the plan website?

22 A I think for the initial login, to set up the
23 information in there, and then for the withdrawal.

24 Q Do you understand that the plan's website had
25 information on your account balance?

Page 60

1 A I'm aware.

2 Q And you understand that it had information on
3 the various investment options available in the plan?

4 A Yes.

5 Q But you didn't review any of that information
6 when you accessed the website?

7 A No.

8 Q How come?

9 A I didn't feel a need to.

10 Q Are you familiar with the plan's fee
11 disclosures?

12 A I'm not.

13 Q Have you ever heard the term 404(a)(5)
14 disclosure?

15 A I have not.

16 Q Do you recall ever receiving any sort of fee
17 disclosure?

18 A I don't recall.

19 Q Introduce Exhibit 4. Do you recognize this
20 document?

21 A No.

22 (Exhibit 4 is marked for identification)

23 Q Do you see on the first page it says required
24 disclosure information Quanta Services, Inc. 401K
25 Savings plan?

Page 61

1 A I do.

2 Q And do you see on the bottom that it's dated
3 September 9th, 2019?

4 A Yes.

5 Q Do you recall whether you received a this
6 disclosure or any other similar disclosure?

7 A I don't recall.

8 Q Do you understand that this disclosure was
9 available on the plan website? If you wanted to look at
10 it?

11 A Imagine that it was. I don't recall that
12 information.

13 Q Do you have any reason to dispute that it was
14 available to you?

15 A I do not.

16 Q But you never read it?

17 A No.

18 Q If you turn to the Bates number is going to be
19 577 and under qualified default investment alternative
20 notice. Can you just read that first paragraph to
21 yourself? Do you understand this to mean that if you
22 didn't make any affirmative decision on which investment
23 option to invest in, you would be defaulted into the
24 Freedom Funds?

25 A Yes.

Page 62

1 Q Do you understand whether that's what happened
2 with your account or not where you defaulted into the
3 Freedom Funds?

4 A It appears to be so.

5 Q The third paragraph in this section provides
6 you with a website link and a phone number that you can
7 call to speak about your investment decisions. Do you
8 see that?

9 A I do.

10 Q And so if you didn't want to be invested in
11 the Freedom Funds, this is telling you that you could
12 have made that change. You just needed to take action
13 yourself, right?

14 A I do you see that.

15 Q And you chose not to do so?

16 A Correct.

17 Q And why didn't you make any affirmative
18 election?

19 A I figured that this was the best option. I
20 don't have knowledge of how to invest, so I figured going
21 this route would be the most beneficial to me.

22 Q Can you turn to -- it's going to be Bates
23 number 581 and you can just read this section to yourself
24 under helping you manage your plan account and accessing
25 your plan account statements, and just let me know when

Page 63

1 you're done. So I think it's the second bullet. Do you
2 see where it says please check your account information
3 for and promptly review correspondence, account
4 statements and confirmations as they are made available
5 to you. Do you see that?

6 A Yes.

7 Q Did you do that?

8 A No, I checked the account statements. That's
9 pretty much it.

10 Q Can you turn to -- it's going to be page 582
11 on the left side of the page. Under investment options,
12 do you see where it says the plan offers a choice of
13 investment options that allow you to create a diversified
14 portfolio to help you meet your individual needs?

15 A Yes.

16 Q Do you have any basis to dispute that
17 statement?

18 A I do not.

19 Q Can you turn to 584? Can you just read the
20 paragraph under variable return investments.

21 A You want that out loud?

22 Q Yeah, please. Just up until that URL, about
23 halfway down.

24 A The chart below list the plan's investment
25 options that do not have a fixed or stated rate of

1 return, and underneath each investment option is an
2 applicable benchmark for that option. A benchmark is
3 standard against which the performance of a security,
4 mutual fund or investment manager can be measured. This
5 notice requires that a broad based market index be listed
6 on the chart for each investment option. Additional
7 benchmarks for investment option may be available.

8 Q Did you ever visit that website to review
9 additional benchmarks for the Freedom Funds?

10 A I did not.

11 Q And you understand that the chart on the next
12 several pages shows the performance and fees associated
13 with all of the investment options in the plan?

14 A It appears to be so.

15 Q And you never reviewed this information,
16 correct?

17 A Even if -- I did not. But even if I did, I
18 would have no understanding of it.

19 Q In your view, was there anything about the
20 plan's investment performance that was not sufficiently
21 disclosed to you?

22 A Not to my knowledge.

23 Q Anything about the plan's fees that was not
24 sufficiently disclosed to you?

25 A Not to my knowledge.

Page 65

1 Q And so, as far as you know, Quanta provided
2 you with all the information you needed?

3 A As far as I know.

4 Q Do you understand that the plan website had
5 access to financial planning and education modules?

6 A I did not.

7 Q And you never reviewed any of that
8 information?

9 A No.

10 Q Okay, I'm going to introduce Exhibit 5.

11 (Exhibit 5 is marked for identification)

12 A The battery on that computer is dying.

13 Q Do you recognize this document?

14 A I do not.

15 Q Do you have any reason to doubt that it was
16 provided to you?

17 A I don't.

18 MR. ROBERTS: Can we go off the record
19 real quick?

20 MR. MCKENNA: Sure.

21 MR. ROBERTS: Can we go off the record
22 real quick?

23 THE REPORTER: We're going off the record
24 at 10:33 a.m.

25 (Recess taken)

Page 66

1 THE REPORTER: We're going back on the
2 record at 10:34 a.m.

3 FURTHER DIRECT EXAMINATION

4 BY MR. MCKENNA:

5 Q Okay, so before we went off the record, we
6 were just starting to look at Exhibit 5, which is titled
7 Summary Plan Description Quanta Services, Inc. 401K
8 savings plan. I believe you said you don't have any
9 reason to doubt that this was provided to you, correct?

10 A Correct.

11 Q But you never read this document?

12 A No.

13 Q Do you understand what a summary plan
14 description is?

15 A I do not.

16 Q Can you turn to the Bates number is going to
17 be 64. And it's the -- can you just read out loud for me
18 the third and fourth paragraphs there. Starting at.
19 This booklet is called.

20 A This booklet is called a summary plan
21 description. SPD. Contains a summary and understandable
22 language of your rights and benefits under the plan. The
23 SPD is a brief description of the principal features of
24 the plan document and trust agreement and is not meant to
25 interpret, extend, or change these provisions in any way.

1 The plan document and trust agreement shall govern if
2 there is a discrepancy between the SPD and the actual
3 provisions of the plan.

4 Q And so based on that, do you understand now
5 the SPD is sort of a summary or overview of the plan
6 document that's meant for participants to be able to
7 understand better?

8 A Yes.

9 Q Do you agree that this would have been a
10 helpful document to review as a participant in the plan?

11 A I do.

12 Q Have you ever reviewed an SPD for your current
13 401 plan?

14 A I have not.

15 Q Could you turn to -- the Bates number is going
16 to be 70. And can you just read the paragraph under a
17 investments to yourself and let me know when you're done
18 with that? What do you understand this paragraph to
19 mean?

20 A It's basically letting me know that this
21 document's about making informed sound investment
22 decisions and the duties of what should be provided to
23 me.

24 Q And you understand that you have the ability
25 to exercise control over the assets in your plan account?

Page 68

1 A Corr --

2 Q Sorry.

3 A Correct.

4 Q And you understand that you could choose your
5 investments from a broad range of investment
6 alternatives?

7 A Yes.

8 Q You understand that you were responsible for
9 the investment decisions you made relating to your plan
10 investments?

11 A Yes.

12 Q And you understand that the plan's fiduciaries
13 were not responsible for any losses resulting from your
14 investment instructions?

15 MR. ROBERTS: Object to form.

16 A I'm unsure.

17 Q Let me step back. Did you have any losses
18 resulting from your investment instructions?

19 A Not that I know of.

20 Q Because your account gained from the time that
21 you began participating until you withdrew your funds,
22 correct?

23 MR. ROBERTS: Object to form.

24 A Yes.

25 Q You just believe it didn't gain enough?

1 A Correct.

2 Q Do you see this reference to DOL regulation
3 section 2550.404a-5?

4 A Yes.

5 Q Okay. You understand that's the fee
6 disclosure that we were just looking at a moment ago?

7 A Yes.

8 Q And you understand that that information was
9 provided to you?

10 A Yes.

11 Q I just want to revisit quickly your current
12 retirement savings in your current employer's 401K plan.
13 So I think you said earlier you're not sure what
14 investments you're in, is that correct?

15 A Correct.

16 Q Do you have any understanding whether you're
17 invested in mutual funds?

18 A I'm unsure.

19 Q Unsure?

20 A Unsure.

21 Q Okay. Do you know whether the funds you're
22 invested in are actively managed or passively managed?

23 A I do not know.

24 Q Okay. And you don't know whether they're
25 target-date funds?

Page 70

1 A I do not know.

2 Q Do you know what fees are charged by the
3 investments you're currently invested in?

4 A No.

5 Q Do you agree that that would all be important
6 information to know about your investments?

7 A Yes.

8 Q Have you ever invested in any cryptocurrency?

9 A I have not.

10 Q I'm going to introduce Exhibit 6. Do you
11 recognize this document?

12 A I do.

13 (Exhibit 6 is marked for identification)

14 Q Do you recall -- did you review Quanta's
15 requests for production when you first received them?

16 A I believe so.

17 Q And did you collect all the documents
18 responsive to these requests?

19 A Can you repeat that?

20 Q Did you collect all of the documents
21 responsive to these requests?

22 A I collected what I had.

23 Q Where did you search to collect documents?

24 A My personal files.

25 Q Are those electronic, hard copy?

1 A Both electronic and hard copy.

2 Q And sitting here today, are there any other
3 documents responsive to these requests you can think of
4 that have not been produced?

5 A Not that I have.

6 Q I know we've covered a couple throughout the
7 day today, but anything other than the Dyson account
8 statement or the Dycom stock statements and your current
9 401K account statements?

10 A Yep. No, I don't have anything else.

11 Q Can you turn to page six of this document to
12 request for production number one? So under the
13 response, the second to last sentence here says plaintiff
14 no longer has access to her plan account or any plan
15 related documents she might have received during the
16 class period. Do you see that?

17 A Where are you at again? I apologize.

18 Q Sorry. It's in the response to request for
19 production number one, and it's the second to last
20 sentence.

21 A I'm still lost. I apologize.

22 Q No, no worries. You can see the highlighting
23 on the version that I have.

24 A Oh, okay. Got it. Thank you. Okay. Yes, I
25 do see that.

Page 72

1 Q Okay. Is that statement accurate?

2 A Yes.

3 Q Did you ever receive any hard copy plan
4 documents?

5 A I don't believe so.

6 Q So the only access you had was through your
7 plan account?

8 A Yes.

9 Q Or perhaps email?

10 A Yes.

11 Q And any plan documents that you had in your
12 email were produced to us?

13 A Correct.

14 Q Request for production number two. Request
15 any document reflecting your participation in any
16 retirement vehicle or investment other than the plan,
17 such as employer response or plans, etcetera. I think
18 this is the RFP, essentially what we've been talking
19 about today. Requesting information on other retirement
20 plans. Other than the your current 401K plan and the
21 Dycom stock, aren't there any other documents you can
22 think of that would be responsive to this request?

23 A Nothing else.

24 Q Then request for production number three.
25 Similarly, request all documents that relate to any

1 retirement or other benefit plans that are available to
2 you through your current employer or that were available
3 to you from any other employer other than the plan. Do
4 you have any documents relating to your current 401K plan
5 that would be responsive to that request?

6 A I believe so.

7 Q Okay. And we can follow up after we're off
8 the record today here. Can you turn to page twelve of
9 this document? So this request seeks all documents used,
10 reviewed, or relied upon in preparing the complaint,
11 including, but not limited to those that support, refute,
12 or concern any allegation in the complaint. I just want
13 to direct you to the last sentence in your response to
14 this request. It says, plaintiff reserves the right to
15 supplement or amend her objections and response to this
16 request as appropriate during the course of this
17 litigation. Sitting here today, do you have anything to
18 supplement in response to request number ten?

19 A I don't.

20 Q Okay, I'm going to introduce Exhibit 7. Do
21 you recognize this document?

22 A I do.

23 (Exhibit 7 is marked for identification)

24 Q And I will just represent for the record that
25 this version of this document does not have your

Page 74

1 signature. I realized I printed out the wrong version.

2 I think we received this version one day and then a

3 separate version with your signature the following day.

4 A Okay.

5 Q So just, you know, for the record, we have
6 assigned version from you. It's just not this one. But
7 so, understanding that this is not the signed version,
8 did you review this document before you signed it?

9 A Yes.

10 Q And you understand that the statements made in
11 response to these interrogatories are made under oath the
12 same as here today or before a judge?

13 A Yes.

14 Q And you agree with the content in these
15 responses?

16 A Yes.

17 Q Sitting here today, you still agree with the
18 content of these responses, or is there anything that you
19 think should be updated?

20 A No updates.

21 Q Can you turn to page seven of this document?

22 The last sentence in your response to interrogatory
23 number one, you wrote; plaintiff informed Adam Laliberte,
24 her spouse, who is a former employee of Quanta, and
25 participant in the plan, of the claims of the case and

Page 75

1 her involvement in the action. So I don't want you to
2 tell me anything about sort of the specifics that you
3 discussed with your husband about the plan. But how long
4 was your husband a participant in the plan himself?

5 A I don't recall.

6 Q Do you recall when he was employed with
7 Quanta?

8 A Around the same time frame as I was. 2018,
9 may have been 2017.

10 Q Until 2020?

11 A I believe he was there until 2022.

12 Q And do you recall if you participated in the
13 plan that whole time or just a portion of the time?

14 A I have no idea.

15 Q Do you recall what investments he selected
16 when he was a participant in the plan?

17 A I do not know any information of his 401k.

18 Q Interrogatory number two. At the bottom of
19 this page, it says, to identify all instances and each
20 person or entity who communicated with you orally or in
21 writing regarding the plan, including the planned
22 investment options, fees, or expensive -- expenses. And
23 on the following page, the last sentence and response you
24 wrote, plaintiff has no information responsive to this
25 interrogatory. Do you see that?

1 A That's correct.

2 Q So is it your testimony that there are no
3 communications that you never spoke to anybody about the
4 plan other than your husband and your attorneys?

5 A That's correct.

6 Q You didn't speak to anybody at Quanta?

7 A No.

8 Q Nobody in HR?

9 A No.

10 Q Nobody at Fidelity?

11 A No.

12 Q What about your line manager?

13 A Nope.

14 Q Nobody from HR ever reached out with
15 information about the plan?

16 A Not that I know of, no.

17 Q Interrogatory number three on page eight,
18 states, identify any communication or information you
19 relied upon in connection with your participation in the
20 plan or that otherwise influenced your decision to
21 participate in the plan and or your investment decisions
22 under the plan. And then turning to the next page, the
23 last sentence response is, plaintiff has no information
24 responsive to this interrogatory. Do you see that?

25 A Yes.

1 Q So is it your testimony that there are no
2 communications that influenced your decision to
3 participate in the plan?

4 A That is correct.

5 Q And it was just the fact that you got a pay
6 increase in or around 2020 and began participating at
7 that time?

8 A Correct.

9 Q And there was no other factor that influenced
10 that decision?

11 A No.

12 Q Interrogatory number four on page nine asks
13 you to describe in detail how you stayed apprised of the
14 performance of your investments in the plan and or the
15 fees you may have paid related to the plan, including the
16 sources of information upon which you relied and
17 individuals with whom you spoke since January 1st, 2016.
18 And the last sentence of your response says, plaintiff
19 reviewed her pay stubs, plan account statements, and any
20 plan notices she might have received. Do you see that?

21 A Yes.

22 Q What information did you look for when you
23 were reviewing your pay stubs?

24 A Just to see how much was taken out for the
25 plan.

1 Q Okay, so just to see what your contributions
2 were?

3 A Correct.

4 Q And what were you looking for when you
5 reviewed your plan statements?

6 A Basically the gains that it had.

7 Q And that's just the gains for that quarter, is
8 that correct?

9 A Correct.

10 Q And do you recall any specific plan notices
11 that you reviewed?

12 A Not specifically.

13 Q How did you receive plan notices, generally?
14 Via email?

15 A Via email.

16 Q And they were available on the plan website?

17 A Yes.

18 Q But you never reviewed any of them?

19 A No.

20 Q On page ten, interrogatory number six says, if
21 you contend that defendants or any of their officers or
22 agents have made any admissions or declarations against
23 interest concerning the subject matter of this action,
24 identify each person that allegedly made such statement
25 and describe in detail each alleged omission or

Page 79

1 declaration.

2 And your response on page twelve, the last sentence
3 of your response starts with, plaintiff reserves the
4 right to supplement or amend her objection in response to
5 this interrogatory as appropriate during the course of
6 this litigation. Sitting here today, can you identify
7 any admission or declaration against interest concerning
8 the subject matter of your lawsuit made by any
9 representative of Quanta?

10 A No.

11 MR. MCKENNA: Okay, we've been going for
12 close to an hour. This might be a good point for a
13 ten minute break.

14 THE REPORTER: We're going off the record
15 at 10:55 a.m.

16 (Recess taken)

17 THE REPORTER: We are back on the record
18 at 11:05 am.

19 CONTINUED DIRECT EXAMINATION

20 BY MR. MCKENNA:

21 Q I just want to circle back quickly and confirm
22 that I had the name of the stock you're invested in.
23 Right? Is it Dycom?

24 A Dycom.

25 Q D-Y-C-O-M.

Page 80

1 A Correct.

2 Q What type of company is Dycom?

3 A It's a communications infrastructure.

4 Q Do you know where they're based out of?

5 A I want to say Washington state.

6 Q And do they have a relationship with your
7 current employer?

8 A Yes, they're our parent company.

9 Q Okay, so that's how that stock was available
10 to you?

11 A Correct.

12 Q Was it sort of a -- was it an employee
13 incentive program or was it just made available and you
14 could choose to purchase some if you wanted to?

15 A It's just made available.

16 Q Okay, how was it made available to you?

17 A To be honest, I don't remember.

18 Q Do you remember, was it an email or was there
19 an announcement?

20 A I believe it was an email from our HR group.

21 Q And do you know, is Dycom a publicly traded
22 company?

23 A I'm not for sure.

24 Q I think we talked about this earlier, but when
25 you decided to invest in Dycom stock, it was just based

1 on historical stock performance.

2 A Historical and current.

3 Q Did you look at any sort of financial
4 forecasts for the company itself?

5 A I did not.

6 Q Did you look at any, the stock performance of
7 any of Dycom's competitors?

8 A I did not.

9 Q I'm going to switch gears a little bit here.
10 When did you decide that you wanted to sue Quanta over
11 the plan?

12 A Speaking more of like a particular timeframe?

13 Q Yes.

14 A A year? I would say 2021, 2022. Whenever I
15 was reached out to initially by legal counsel.

16 Q So you said whenever you were reached out to
17 by legal counsel. So did they reach out to you or did
18 you search and seek them out?

19 A I was reached out to.

20 Q Do you know how they got your information?

21 A I do not.

22 Q And who did you speak to about the lawsuit
23 when they reached out to you? Do you remember the name?

24 A I do not.

25 Q Do you remember where they -- somebody at

Page 82

1 Miller Shah?

2 A I believe so.

3 Q So not anybody at Capozzi Adler?

4 A Pardon?

5 Q Are you familiar with Capozzi Adler?

6 A I'm not.

7 Q Okay. They're in a lawsuit involved with
8 representing the plaintiffs in this case.

9 A I'm not.

10 Q So prior to speaking to the representative
11 from Miller Shah, you had no desire to bring a class
12 action lawsuit against Quanta?

13 A I did not.

14 Q And without sort of, you know, without getting
15 into the details that you discussed with the Miller Shah
16 attorney, can you just give me an overview of why you
17 decided to sue Quanta?

18 A After discussing it with the attorney, I
19 figured that it would be in not only my best interest,
20 but the plan's interest for everyone. It seemed like
21 there was some needs that were needed to be met.

22 Q And what needs needed to be met?

23 A As far as maybe some legal compensation.

24 Q For who?

25 A For everyone that was involved with investing

Page 83

1 with Quanta.

2 Q So that's everybody who participated in the
3 plan?

4 A Correct.

5 Q And what leads you to believe that there's
6 legal compensation needed for those individuals?

7 A Just for the simple fact of the misinvestment,
8 mismanagement. It would be due to everyone that was
9 involved.

10 Q And that's just based on the fact that the
11 Freedom Funds didn't return as much as you thought they
12 should have returned?

13 A Correct.

14 Q And you're not familiar with any of the other
15 investments being challenged in this lawsuit, correct?

16 A Correct.

17 Q You have no basis to say whether or not
18 anybody else was harmed by those investments?

19 MR. ROBERTS: Object to form.

20 A I'm not sure.

21 Q You're not sure if anybody else was harmed or
22 you're not sure if you can say?

23 A Can you repeat the question, please?

24 Q Yes. So do you have any basis to conclude
25 that any other participant was harmed by the plan's

Page 84

1 offering of the American Beacon fund or the DFA fund?

2 A Not specifically, no.

3 Q And do you believe that every participant who
4 invested in the Freedom Funds was harmed?

5 A To my knowledge.

6 Q Would you agree that it's possible that some
7 participants might have benefited from the Freedom Funds?

8 MR. ROBERTS: Object the form.

9 A It's possible.

10 Q Depending on when they invested and how much
11 they invested?

12 A It's a possibility. I don't have knowledge to
13 that information.

14 Q And we already discussed this. But you didn't
15 have any losses to your account associated with the
16 Freedom Funds, correct?

17 MR. ROBERTS: Object to form.

18 A I don't know.

19 Q So I think earlier you agreed that you didn't
20 have losses because your account gained over time.

21 A It did gain, but I'm not sure if it gained as
22 much as it should have or if it lost some.

23 Q So I think earlier today you testified that
24 you didn't have any losses from the Freedom Funds. So
25 are you changing that testimony now?

Page 85

1 A It didn't have any losses, to my knowledge.

2 Q So after you spoke to the attorney at Miller
3 Shah, what steps did you take before you decided to join
4 the lawsuit?

5 A I really tried to give it some consideration
6 and thought, as far as, you know, this was something that
7 needed legal attention, or if it was something and that
8 was kind of, maybe erroneously, would be an erroneous
9 filing. But after consideration, I felt that it would be
10 in my best interest to be a part of this.

11 Q Did you seek out any information about the
12 lawsuit other than that conversation?

13 A I did not.

14 Q Do you do any research into the Miller Shah
15 law firm or the attorney you spoke to?

16 A I did look into the law firm site.

17 Q Did you do any research into the investments
18 that are being challenged?

19 A No.

20 Q So you just gave it some consideration and
21 decided to go ahead with the law suit?

22 A Correct.

23 Q Did you consult with any other attorney other
24 than Miller Shah?

25 A No.

1 Q Had you heard about this lawsuit before you
2 spoke to Miller Shah?

3 A No.

4 Q Have you spoken to any other potential class
5 member about this lawsuit?

6 A No.

7 Q Have you reviewed any of your current
8 investments based on the information alleged in your
9 complaint?

10 A No.

11 Q So you haven't undertaken to assess whether
12 your current investments are appropriate based on the
13 allegations in your complaint?

14 A Not at this time.

15 Q And before you spoke with your attorneys, you
16 didn't believe that you had been harmed by investing in
17 the Quanta plan, right?

18 A I had no idea, no.

19 Q When you were a participant in the Quanta
20 plan, did you have any concerns with how it was managed?

21 A No.

22 Q Do you have a fee agreement with your
23 attorneys?

24 A I'm not sure. I may.

25 Q Do you know how your lawyers are being paid?

Page 87

1 A Pardon?

2 Q Do you know how your lawyers are being paid?

3 A Can you restate that question in a different
4 way?

5 Q Sure. Are you paying any money out of pocket
6 for your attorneys?

7 A No.

8 Q Do you understand that if you were to prevail
9 in this case, they would be entitled to a certain
10 percentage of money recovered?

11 A Yes.

12 Q Do you know what percentage they want?

13 A I don't recall.

14 Q Would you object if they sought to recover 33%
15 of any recovery?

16 A No.

17 Q Why not?

18 A Just, I guess, for the fact that I'm not
19 paying anything up front.

20 Q And so in your view, 33% is reasonable?

21 A It seems fair.

22 Q Did you make any attempt to negotiate fees
23 with your attorneys, how much they might seek to recover?

24 A I did not.

25 Q Why not?

1 A I didn't have a reason to.

2 Q Do you understand that whatever fee they
3 recover is money that doesn't go to the other
4 participants?

5 A I'm aware.

6 Q And you didn't try to find any other attorney
7 who might represent the class for less?

8 A No.

9 Q So I think earlier we talked about the
10 complaint. Have you read any of the other filings in the
11 lawsuit?

12 A I believe so.

13 Q Do you remember which ones?

14 A I don't.

15 Q Do you think you've read all of them? Some of
16 them?

17 A I believe that I've read everything that's
18 been filed.

19 Q Do you know if you've read it before it was
20 filed or after it was filed?

21 A I believe I read everything prior to each
22 filing.

23 Q We touched on this briefly earlier, but if you
24 read the expert reports submitted on your behalf?

25 A I don't recall.

Page 89

1 Q Do you recognize the name Adam Werner?

2 A I do nothing.

3 Q Do you recognize the name Donald Stone?

4 A No.

5 Q Richard Marin?

6 A No.

7 Q Do you know how much money you're seeking from
8 Quanta in this lawsuit?

9 A I do not.

10 Q How would you determine how much money to seek
11 from Quanta?

12 A I think that would be a discussion between my
13 attorneys and myself, as well as the other plan
14 participants.

15 Q All of the other plan participants?

16 A Correct.

17 Q And you haven't had that conversation?

18 A No.

19 Q You understand that this is a class action
20 lawsuit?

21 A I understand.

22 Q Just in your own words, what does that mean to
23 you? It's a class action.

24 A It says multiple people that are involved in
25 one case.

Page 90

1 Q Do you know how many people?

2 A No. Specifically with my attorney. There's
3 one other person. I do not know how many others with
4 different attorneys.

5 Q And so that one other person is the other
6 named plaintiff?

7 A Correct.

8 Q And do you know how many potential class
9 members there are?

10 A I do not.

11 Q And you're seeking to serve as a class
12 representative?, correct?

13 A Correct.

14 Q In your own words, what does that mean to you
15 to be a class representative?

16 A Just to provide a good face for the whole
17 plan.

18 Q What do you mean by a good face?

19 A Someone who's able to speak on everyone's
20 behalf.

21 Q And who do you speak with on behalf of the
22 other participants?

23 A I'm sorry, can you repeat that?

24 Q Sure. So, I think you said provide a good
25 face to speak on behalf of the other participants. Who

Page 91

1 would you be speaking to?

2 A If anything went further, such as going to
3 trial.

4 Q If this case goes to trial, do you expect to
5 testify in court?

6 A I would expect to, yes.

7 Q And you understand that will be in the
8 southern district of Texas?

9 A Yes.

10 Q You understand that a trial in this case might
11 take upwards of two weeks?

12 A Yes.

13 Q What do you think qualifies you to be a class
14 representative?

15 A Well, I've been heavily involved in the case
16 since the beginning. I've provided documents, and I'm
17 sitting here today doing a deposition.

18 Q You understand it's an important
19 responsibility to act as a class representative?

20 A I do.

21 Q And you understand that you're not just
22 representing your interests, but the interests of the
23 class?

24 A Absolutely.

25 Q What does that mean to you? To represent the

Page 92

1 interests of the class?

2 A Just to try to work to get what's fair for
3 everyone that's involved.

4 Q And who decides what's fair for everybody
5 involved?

6 A I believe that would be up to the judge.

7 Q I think you said before you don't know how
8 many participants make up the class. Could you give an
9 estimate? Do you think it's less than 10,000? More than
10 10,000?

11 A I can't even give you a rough estimate. I
12 have no idea.

13 Q Do you know what time period the class covers?

14 A I do not.

15 Q Do you expect to receive any compensation for
16 serving as a class representative?

17 A No, it's not expected.

18 Q But do you think you will?

19 A I'm not sure. I think it really just depends
20 on what the division district has set for that area.

21 Q Do you know the other named plaintiff in this
22 lawsuit?

23 A The top of my head, I do not.

24 Q Okay, so you've never met her?

25 A I think it's Marie. I've never met her, no.

Page 93

1 Q Okay. Ever spoken to her on the phone?

2 A No.

3 Q Do you have any personal knowledge about her
4 investments?

5 A No.

6 Q Do you have any personal knowledge about the
7 investments of any other participant in the plan?

8 A I do not.

9 Q Do you know anything about how other
10 participants might value risk?

11 A No.

12 Q Have you taken any steps to try to learn more
13 about the preferences of the other participants?

14 A No.

15 Q So at the end of the day, what changes are you
16 looking to make through your lawsuit.

17 A For Quanta specifically. Just to be more
18 aware of how they're investing and be more diligent about
19 what they're investing in and to make sure to monitor
20 everything.

21 Q Can you give me any examples of specific
22 changes you'd like to see implemented?

23 A I can't specifically.

24 Q And do you have any understanding of what
25 Quanta did wrong that you allege with respect to

Page 94

1 monitoring?

2 A No, not specifically.

3 Q Are you looking to have investment options
4 removed from the plan?

5 A No.

6 Q Are you looking to have investment options
7 added to the plan?

8 A I'm not sure.

9 Q Are you looking to have any committee members
10 removed from the committee?

11 A Not at this time.

12 Q So sitting here today, can you identify sort
13 of any specific actions that you believe Quanta should
14 implement or the committee should implement?

15 A I can't give any specifics.

16 Q And you can't identify anything specifically
17 that they did wrong either?

18 A No.

19 Q Are you familiar with QPA or qualified plan
20 advisors?

21 A I'm not.

22 Q Do you understand that the plan had an
23 investment advisor who helped the committee monitor
24 investments and make decisions?

25 A I do not know that.

1 Q Do you know -- does your lawsuit accuse the
2 investment advisor of doing anything wrong or
3 inappropriate?

4 A I'm not sure.

5 Q Do you have any personal opinion about whether
6 or not the investment advisor was appropriately advising
7 the committee?

8 A No.

9 Q If the court decides that the case can't
10 proceed, cannot proceed as a class action, do you intend
11 to pursue an individual lawsuit?

12 A Possibly.

13 Q Why?

14 A Just because I feel like I'm owed compensation
15 at this point.

16 Q What do you feel like you're owed?

17 A As far as a number?

18 Q Mm hmm.

19 A I don't have that off the top of my head.

20 Q How would you go about figuring out what that
21 number is?

22 A Probably discussing that with an attorney.

23 Q I think we've talked a couple of times now
24 that your account gained, but you believe it should have
25 gained more, is that right?

Page 96

1 A Correct.

2 Q And so what you would seek in an individual
3 lawsuit would be essentially the difference between what
4 you gained and what you should have gained in a different
5 investment option?

6 A Yes.

7 Q But you don't know what that investment option
8 is?

9 A No.

10 Q And you don't even know if there is an
11 investment option that returns more than the Freedom Fund
12 during the time period that you were invested in the
13 plan?

14 A Correct.

15 Q Do you know how Quanta selected investments
16 for the plan?

17 A I do not.

18 Q And so you don't know how they monitor those
19 investments either, right?

20 A I do not.

21 Q Would it surprise you to learn that the
22 committee met on a quarterly basis to review the plan's
23 investments?

24 A That would not surprise me.

25 Q But you don't think that those quarterly

Page 97

1 meetings were sufficient?

2 A I'm not aware of any of their policies or
3 procedures. I'm not sure.

4 Q But your lawsuit's criticizing those policies
5 and procedures, right?

6 A I would say yes.

7 Q But you don't know what they are?

8 A I do not know what they are.

9 Q Earlier, we briefly talked about -- 404(c) in
10 the plan SPD. That was -- I'll refer you back to the
11 exhibit, Exhibit 5. This one. Sorry, this one. And it
12 was the Bates number 70 on that one. So, looking back at
13 that first paragraph under investments again, you
14 understand that you had the ability to choose your
15 investments from a broad range of investment alternatives
16 in the plan?

17 A Correct.

18 Q And nobody forced you to select the Freedom
19 Funds, right?

20 A That's correct.

21 Q And you could have changed that investment at
22 any other time? At any time?

23 A Correct.

24 Q You could have selected a different fund
25 offered in the plan that you thought performed better?

Page 98

1 A I could have.

2 Q And it was your decision not to?

3 A Correct.

4 Q And nobody from Quanta ever told you which
5 investments to select, correct?

6 A No.

7 Q And other participants in the plan had the
8 same choices?

9 A I would assume so.

10 Q And so since you are making the choice where
11 to invest your money, you understand that you have
12 responsibility for the outcomes?

13 A Correct.

14 Q And you understand that if you wanted to seek
15 higher returns, you could have chosen a riskier
16 investment option that might have yielded higher returns?

17 A Yes.

18 Q And you chose not to?

19 A That's correct.

20 Q And you could also have chosen an investment
21 option that was cheaper than the Freedom Funds.

22 A I would assume. I'm not sure. Like I said
23 earlier, I'd trust Quanta to make those decisions for me.

24 Q But Quanta didn't make the decision where to
25 invest your funds, correct?

Page 99

1 A I selected the option to let them handle where
2 the investments went.

3 Q So do you know, was it an option to let Quanta
4 handle it, or was it an option to invest in the default
5 investment?

6 A To be honest, I'm not sure, but I trusted that
7 selection.

8 Q And so if it was an option to invest in the
9 default investment, do you still think that that was
10 Quanta's decision to invest your money there?

11 A I'm unsure.

12 Q But at the end of the day, you could have
13 invested in any of the funds that were available in the
14 plan?

15 A I could have.

16 Q Including many of the funds that your lawsuit
17 doesn't challenge?

18 A Correct.

19 Q And earlier, we looked at the 404(a)(5)
20 disclosure or the participant fee disclosure, and you
21 said that you did not review that information while you
22 were a participant in the plan, correct?

23 A Correct.

24 Q But you understand that information was
25 provided to you and available to you?

Page 100

1 A Correct.

2 Q Do you believe that information, the
3 information included in the fee disclosure was important
4 to know as an investor?

5 A Yes, I would say so, but no, in a sense of I
6 do not have knowledge as to what those charts mean.

7 Q But you understand that the fee disclosure
8 included website and phone numbers that you could have
9 reached out to speak with Fidelity representatives to
10 gain more information or ask for clarification?

11 A Yes.

12 Q And you did not do so?

13 A No.

14 Q And you never changed your investments while
15 you were in the plan, correct?

16 A I did not.

17 Q What about your current 401K plan? Have you
18 ever changed your investments there?

19 A I haven't.

20 Q Sorry. Was that have not?

21 A I have not.

22 Q Okay, thank you. Sorry.

23 MR. MCKENNA: All right, why don't we take
24 a quick break? I may be done, but I just want to go
25 back through my outline and see if there's anything

Page 101

1 else. I might have a few more questions.

2 MR. ROBERTS: Sounds good.

3 THE REPORTER: We're off to record at
4 11:35 am.

5 (Recess taken)

6 THE REPORTER: We're back on the record at
7 11:42 am.

8 MR. MCKENNA: So I don't have any further
9 questions. I just wanted to briefly discuss on the
10 record, the documents. So I understand that there
11 are, you know, maybe a handful of documents that
12 you'll be producing related to your investment in
13 Dycos stock, your current 401K plan, account
14 statements, and documents relating to that plan.

15 You know, to the extent that there is
16 information in those documents that's sort of
17 relevant to the questions that I've been asked
18 asking today, I am going to hold the deposition open
19 just so that we can follow up on maybe a couple of
20 specific lines of questioning. Given the limited
21 scope of that, I assume we could probably do it
22 remotely and candidly there may be nothing, but I'm
23 just going to hold the deposition open for the time
24 being until we have a chance to review those
25 documents and see if there's anything else we want

Page 102

1 to revisit.

2 MR. ROBERTS: Okay.

3 MR. MCKENNA: I don't have any further
4 questions.

5 MR. ROBERTS: All right. Well, thank you
6 very much for your time today.

7 THE WITNESS: Thank you.

8 THE REPORTER: Would you like to order the
9 original transcript or video at this time?

10 MR. MCKENNA: Yes, we'll take, we'll take
11 a transcript for now. We'll hold off on the video.

12 THE REPORTER: Mr. Roberts would you like
13 a copy?

14 MR. ROBERTS: Mm hmm.

15 THE REPORTER: Is Ms. Cambell listening?

16 MR. MCKENNA: Yes. She's in house
17 counsel.

18 MS. CAMBELL: Yes, I'm listening.

19 THE REPORTER: Sorry, what did you say?

20 MR. MCKENNA: If you send us the
21 transcript, she'll get it through us. Yeah.

22 THE REPORTER: This adjourns today's
23 proceeding. We're going off the record at 11:44
24 a.m.

25 (Off the record at 11:44 am)

Page 103

1 (Witness reserves the right to read)

2 JURAT/ERRATA FOR MARY LALIBERTE

PAGE / LINE	CHANGE	REASON
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

25 Job No. CS6863203

Page 104

I, MARY LALIBERTE, have read the foregoing deposition and
hereby affix my signature that same is true and correct,
except as noted above.

4

5

6

MARY LALIBERTE

7 THE STATE OF _____)

8 COUNTY OF _____)

9 Before me, _____, on this day
10 personally appeared MARY LALIBERTE, known to me (or
11 proved to me under oath or through _____)
12 (description of identity card or other document) to be
13 the person whose name is subscribed to the foregoing
14 instrument and acknowledged to me that they executed the
15 same for the purposes and consideration therein
16 expressed.

17 Given under my hand and seal of office this
18 _____ day of _____, _____.
19

20 _____
21 NOTARY PUBLIC IN AND FOR
22 THE STATE OF _____
23 MY COMMISSION EXPIRES:
24 _____

25 Job No. CS6863203

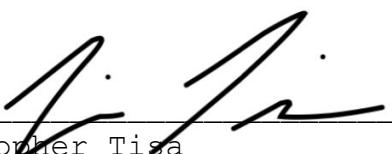
CERTIFICATE OF DIGITAL REPORTER

I, CHRISTOPHER TISA, a Digital Reporter and Notary public within the State of FLORIDA, do hereby certify:

That on August 27th, 2024, I digitally reported the proceedings had and the evidence given, together with the objections of counsel thereto, and that said testimony was accurately captured with annotations by me during the proceeding, taken at said time and place.

I further certify that I am not related to any of the parties to this action by blood or marriage and that I am in no way interested in the outcome of this matter.

IN WITNESS THEREOF, I have hereunto set my hand the 28th day of August 2024.



Christopher Tisa
Notary Commission Florida/HH 308731
Commission Expires: Oct. 22nd, 2026

CERTIFICATE OF TRANSCRIPTIONIST

I, MARIO BARREDO, a Legal Transcriptionist do hereby certify:

That the foregoing is a complete and true transcription of the original digital audio recording of the testimony and proceedings captured in the above-entitled matter. As the transcriptionist, I have reviewed and transcribed the entirety of the original digital audio recording of the proceeding to ensure a verbatim record to the best of my ability.

I further certify that I am neither attorney for nor a relative or employee of any of the parties to the action; further, that I am not a relative or employee of any attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this matter.

IN WITNESS THEREOF, I have hereunto set my hand this 10th day of September, 2024.

Mario Barredo

Mario Barredo

Page 107

1 jcroberts@millereshah.com

2 September 12, 2024

3 RE: Laliberte, Mary v. Quanta

4 DEPOSITION OF: Mary Laliberte 6863203

5 The above-referenced witness transcript is
6 available for read and sign.

7 Within the applicable timeframe, the witness
8 should read the testimony to verify its accuracy. If
9 there are any changes, the witness should note those
10 on the attached Errata Sheet.

11 The witness should sign and notarize the
12 attached Errata pages and return to Veritext at
13 errata-tx@veritext.com.

14 According to applicable rules or agreements, if
15 the witness fails to do so within the time allotted,
16 a certified copy of the transcript may be used as if
17 signed.

18 Yours,

19 Veritext Legal Solutions

[& - 6]

Page 1

&	19103 2:6	2028 41:22	401k 13:4 14:7
& 2:11	1974 28:3,19	2037 34:9	14:13 16:7
0	1st 19:2 77:17	2039 39:15	18:21 20:11
03290 1:5	2	2055 53:2	21:9,23 22:6,9
1	2 3:14 26:14,15 26:18 34:10,15 40:20	2055k 35:22	22:22 24:12,13
1 3:13 12:11,17	2,843 27:6 29:6 31:6 32:19	22nd 1:24	24:16,21 26:8
1,284.56 36:25 39:9	37:6 38:15,19	105:21	28:12 29:24
1,284.56. 36:24	20 17:24	24 20:2	32:22 33:1,4
10 44:24	20004 2:12	2550.404a 69:3	37:2 45:11,14
10,000 92:9,10	2016 77:17	26 3:14	55:25 56:11,22
10/03/2022 35:25	2017 75:9	2727 2:16	57:20 58:3,11
10/3/2022 36:4	2018 12:19	27th 1:18 4:4	60:24 66:7
100 13:5	15:7 43:1 75:8	105:6	69:12 71:9
103 3:5	2019 61:3	28th 105:17	72:20 73:4
105 3:6	202-739-5412	3	75:17 100:17
106 3:7	2:12	3 3:14 13:5,6	101:13
10:00 45:4	2020 15:7 19:2	30th 36:12	404 60:13 97:9
10:33 65:24	26:24 27:14	31st 12:19	99:19
10:34 66:2	34:10,16 36:12	32506 10:11	473.43. 36:16
10:55 79:15	43:4,6,10	32561 1:21	4:22 1:5
10th 106:20	75:10 77:6	33 3:14 87:14	5
1111 2:11	2021 81:14	87:20	5 3:15 44:24
11:05 79:18	2022 75:11	35 10:7	60:13 65:10,11
11:35 101:4	81:14	4	66:6 69:3
11:42 101:7	2023 20:15	4 3:3,15 60:19	97:11 99:19
12 3:13 107:2	21:10 58:15	60:22	50 13:5 44:21
165 1:21	2024 1:18 4:5	4.5 13:7	577 61:19
18 41:23	105:6,17	401 1:7,11	581 62:23
1845 2:5	106:20 107:2	15:25 16:12	582 63:10
19 35:13	2026 1:24	67:13	584 63:19
19.9 34:16,19	40:22 105:21	6	5th 26:24
			6 3:16 13:6
			70:10,13

[60 - ahead]

Page 2

60 3:15 631.24. 36:13 64 66:17 65 3:15 6863203 107:4 6903 10:10 7	acceptable 13:10,11 27:6 access 65:5 71:14 72:6 accessed 60:6 accessing 62:24 account 16:16 16:19,20,23,24 17:18,24 21:24 22:2,15 25:1,4 31:8 33:13,16 33:23 34:10,12 34:18 35:20 36:17 37:9 39:20 40:4,6,9 49:21 53:1,14 59:25 62:2,24 62:25 63:2,3,8 67:25 68:20 71:7,9,14 72:7 77:19 84:15,20 95:24 101:13 accuracy 107:8 accurate 72:1 accurately 105:9 accuse 95:1 acknowledged 31:1 104:14 acknowledges 27:7 30:8 42:1 acknowledg... 41:25 act 28:3,19 91:19	action 1:7 62:12 75:1 78:23 82:12 89:19,23 95:10 105:13 106:14 actions 48:24 94:13 active 52:22 54:8 actively 52:19 69:22 activity 36:18 actual 52:14 59:6 67:2 actually 5:2 25:13 adam 74:23 89:1 added 94:7 additional 64:6 64:9 address 10:8 adjourns 102:22 adler 82:3,5 administration 4:16 admission 79:7 admissions 78:22 advice 24:3,21 42:7 advised 41:10 42:4	advise 41:3 advising 95:6 advisor 94:23 95:2,6 advisors 94:20 affect 8:1,4 48:24 affirmative 61:22 62:17 affix 104:2 agents 78:22 ago 5:24 30:22 31:18 52:9 57:17 69:6 agree 4:16 32:9 32:11 67:9 70:5 74:14,17 84:6 agreed 28:8 84:19 agreement 3:14 27:5,9,16 28:8 31:2 32:14 40:21,24,25 41:4,6 42:2,3,5 42:6,9,13 66:24 67:1 86:22 agreements 107:14 agrees 27:7 40:25 42:1 ahead 35:19 85:21
--	--	---	---

[allegation - aware]

Page 3

allegation	49:7 76:3,6	asks	77:12	9:16 41:4,5,14
73:12	82:3 83:18,21	aspect	28:16	42:5,7 82:16
allegations	58:20	asserting	5:19	82:18 85:2,15
86:13	apologize	asserts	16:2	85:23 88:6
allege	36:2	assess	86:11	90:2 95:22
93:25	71:17,21	assessment		106:12,15
alleged	appearances	53:23		attorneys
32:18	2:1	asset	53:25	8:18
78:25 86:8	appeared	54:2	9:19,23 29:3	
allegedly	104:10	assets	26:3	29:13 49:12
alleging	appears	67:25	50:6 76:4	
48:13	62:4	assigned	74:6	86:15,23 87:6
allotted	64:14	assist	87:23 89:13	
107:15	applicable	90:4		audio
allow	107:7,14	associated		4:9 106:6
63:13	apprised	64:12 84:15		106:10
allowed	77:13	associates		august
4:18	appropriate	19:22 20:12		1:18 4:4
alternative	42:8 45:22	assume	21:5,9 23:3,11	105:6,17
21:1 61:19	55:5 73:16	approximately	24:5,8,12,21	available
alternatives	79:5 86:12	25:17,18,21	33:20 37:16	18:25
68:6 97:15	approximate	assume	38:7,18 39:1	
amend	45:12 47:9	6:13	44:15 56:4	
73:15	95:6	approximately	16:13 98:9,22	
79:4	approximately	16:14	60:3 61:9,14	
american	11:8 18:10,19	assume	63:4 64:7 73:1	
46:19	20:2 27:13	attached	73:2 78:16	
84:1	31:18 33:3	107:10,12	80:9,13,15,16	
amount	area	attempt	99:13,25 107:6	
31:11	92:20	87:22	avenue	2:11
31:24 32:4,7	areas	attend	avenues	50:10
57:4	47:14	11:9	aware	31:9
annotations	arising	12:6	39:12 60:1	
105:9	28:9,16	attending	88:5 93:18	
announcement	arrested	13:21	97:2	
80:19	10:23	attention		
answer	asked	85:7		
6:12,22	50:18	attorney		
7:17,18 17:3	101:17	5:4		
17:13,14 23:24	asking	7:16 8:9,17		
26:5	5:20,25			
answers	6:8 23:14			
5:21	101:18			
6:24				
anybody				
8:14				
9:20,23 14:7				

[b - called]

Page 4

b	51:5 55:3,17 63:16 83:17,24 96:22 bates 34:2,8,9 40:22 41:23 61:18 62:22 66:16 67:15 97:12 battery 65:12 beach 1:20 beacon 46:19 84:1 began 68:21 77:6 beginning 35:13 91:16 behalf 1:7 2:3,9 4:7 88:24 90:20,21,25 belief 29:14,15 30:1 39:6 believe 13:10 13:25 17:18,20 21:14 22:8 23:4 24:24 29:8,16 30:17 33:19 37:1 40:2,10,15 41:9 42:17 43:19 66:8 68:25 70:16 72:5 73:6 75:11 80:20 82:2 83:5 84:3 86:16 88:12,17	88:21 92:6 94:13 95:24 100:2 believed 23:15 44:10 benchmark 64:2,2 benchmarks 64:7,9 beneficial 62:21 benefit 13:9,10 73:1 benefited 84:7 benefits 13:23 14:2 27:3,7,8 49:1,17 50:14 66:22 best 6:1,20 16:8 20:17 62:19 82:19 85:10 106:11 better 11:3 30:2 45:17,19 45:23 48:5 52:24 67:7 97:25 bit 5:25 11:2 45:7 81:9 blankenship 5:11 blood 105:13 board 1:10 20:23	bockius 2:11 5:4 booklet 66:19 66:20 bottom 34:4 61:2 75:18 boyles 18:5,5 18:17,18,20,20 break 7:9,10,14 44:24 79:13 100:24 breaks 7:7,8 brief 66:23 briefly 5:2 11:4 40:20 88:23 97:9 101:9 bring 82:11 broad 64:5 68:5 97:15 broadly 9:22 build 17:4 32:24 bullet 12:25 13:2 63:1 butcher 25:13 c	c 2:4 4:1 19:14 56:19 79:25 97:9 cable 14:21 call 39:21,23 62:7 called 34:1 49:23 66:19,20
----------	---	---	---	---

[calls - compared]

Page 5

calls 41:17	challenge 99:17	choosing 54:17	close 79:12
cambell 102:15 102:18	challenged 83:15 85:18	chose 18:16 56:1 62:15	collect 70:17,20 70:23
campbell 2:15 15:13	challenging 46:2,4,8,17,23 47:4	chosen 98:15 98:20	collected 70:22
candidly 101:22	chance 101:24	christopher 1:23 4:6 105:3	college 11:6,9 11:15
cap 46:20 47:1	change 14:22	circle 79:21	come 44:8 54:10 57:23
capozzi 82:3,5	25:5,20 38:13	cities 20:5	60:8
captured 105:9 106:7	62:12 66:25 103:3	civil 4:18 22:11	commission 1:23,24 104:23
capturing 4:8	changed 15:3,4	claim 30:7,10 30:18,24,25	105:21,21
card 104:12	40:13 43:10	claims 5:19	committee 1:11 15:5,24 48:14
career 11:14	50:5 97:21	28:9,15 30:21	50:19 94:9,10
carefully 42:1,9	100:14,18	41:2,15 74:25	94:14,23 95:7 96:22
carolina 20:6	changes 39:20	clarification 100:10	communicated 75:20
carolyn 2:15 15:13	44:4 93:15,22 107:9	clarified 25:14	communication 76:18
case 1:4 9:23 16:9 28:22,23 29:17 52:3 74:25 82:8 87:9 89:25 91:4,10,15 95:9	changing 84:25	class 1:5,7 54:2 71:16 82:11	communicati... 76:3 77:2 80:3
certain 87:9	charged 70:2	charts 100:6	companies 13:12,14 19:18
certificate 3:6,7 105:1 106:1	chart 63:24	cheaper 98:21	23:1
certifications 12:1	64:6,11	check 63:2	company 13:4 13:7 27:6
certified 107:16	charts 100:6	checked 63:8	28:17 41:3
certify 105:4,12 106:4,12	cheaper 98:21	child 18:12	42:4 56:14
	check 63:2	children 18:13	57:4,10,12
	checked 63:8	91:19,23 92:1	80:2,8,22 81:4
	child 18:12	92:8,13,16	compared
	children 18:13	95:10	21:22
	choice 63:12	classes 11:16	
	98:10	11:20	
	choices 43:18	clear 6:19	
	98:8	clients 20:6	
	choose 56:25	cliff 52:11,13	
	68:4 80:14		
	97:14		

[compensation - couple]

Page 6

compensation	cons 56:6	contributes	46:6 47:18,19
82:23 83:6	consider 13:9	13:6	48:17 49:5,15
92:15 95:14	53:8,22,25	contributing	49:24 50:2,7
competitors	56:1	17:21,22	55:6,10,16,21
81:7	consideration	contribution	57:19 62:16
complain 49:6	27:9 30:8 56:3	13:5 35:25	64:16 66:9,10
complaint 1:7	85:5,9,20	36:4	68:3,22 69:1
51:12 52:14,16	104:15	contributions	69:14,15 72:13
73:10,12 86:9	considered	36:7,11 78:1	76:1,5 77:4,8
86:13 88:10	58:19,21	control 67:25	78:3,8,9 80:1
complete 5:20	considering	conversation	80:11 83:4,13
106:5	57:24	6:21 29:2	83:15,16 84:16
computer 4:10	consistent	85:12 89:17	85:22 89:16
65:12	13:17	coordinator	90:7,12,13
concern 73:12	consists 24:8	14:16,19	96:1,14 97:17
concerning	constitutes	copies 33:18	97:20,23 98:3
42:5 78:23	41:1	copy 12:12	98:5,13,19,25
79:7	consult 41:3,5	26:15 70:25	99:18,22,23
concerns 50:8	41:13 42:5	71:1 72:3	100:1,15 104:2
86:20	85:23	102:13 107:16	correctly 24:24
conclude 83:24	consulted	corr 68:1	corresponden...
concluding	41:14	correct 8:11	63:3
17:17	contacted	9:3,8 13:19	cost 51:3
conclusion 17:1	40:14	14:16,17 16:21	costs 51:10
25:4,20 38:14	contains 66:21	16:22 18:3	counsel 4:15
conditions 42:3	contend 17:25	20:10 21:19	23:20 37:21
42:12	45:13 78:21	22:1,18,19	40:14,16 81:15
confirm 22:17	content 74:14	25:2 28:9 29:7	81:17 102:17
55:12 79:21	74:18	30:3,18,22,23	105:8
confirmations	continued	31:3,12,13	county 104:8
63:4	79:19	32:16 37:3,6,8	couple 7:12
connect 22:14	contrary 40:25	37:11 39:5,8	19:17 47:10
connection	contribute 43:8	39:11 40:4,19	51:20,24 59:1
76:19	contributed	41:12 43:1,2,5	59:19,20 71:6
	13:6	43:16 44:13	95:23 101:19

[course - directly]

Page 7

course	73:16	cv	1:5	declaration	79:1,7	describe	11:4 77:13 78:25	
	79:5		d					
court	1:1 6:17 7:2 91:5 95:9	d	3:1 4:1 30:5 56:19 79:25	declarations	78:22	description	3:13,15 66:7 66:14,21,23	
courtroom	6:6		damage	38:14	declared	10:25	104:12	
cover	29:25		damages	32:18 38:15,19	deemed	42:8	desire	82:11
covered	6:3 20:8 54:4 55:11 71:6		date	1:18 26:12 26:20 36:7 69:25	default	21:1 61:19 99:4,9	detail	77:13 78:25
covers	92:13		dated	26:24 61:2	defaulted	61:23 62:2	details	29:2 82:15
covid	35:13		day	6:8 7:7,16 14:11 20:3,3,4 20:4 71:7 74:2 74:3 93:15 99:12 104:9,18 105:17 106:20	defendants	1:13 2:9 5:5 78:21	determine	89:10
coworkers	10:4		dc	2:12	deferral	36:10 39:11	dfa	46:25 84:1
create	63:13		december	20:15 21:10 58:15	deficient	16:3,7	difference	52:18 96:3
criticizing	97:4		decide	11:13 81:10	definitely	44:1	different	11:14 15:4 19:17
cryptocurrency	70:8		decided	80:25 82:17 85:3,21	degree	11:8		45:24 47:14
cs6863203	1:25 103:25 104:25		decides	47:16 92:4 95:9	delivered	14:1		54:16,17 56:5
current	10:4,8 25:16 26:8 53:18 55:25 56:11 57:16 58:2 67:12 69:11,12 71:8 72:20 73:2,4 80:7 81:2 86:7 86:12 100:17 101:13		decision	61:22 76:20 77:2,10 98:2,24 99:10	department	49:17		87:3 90:4 96:4 97:24
currently	1:12 4:12 19:10,21 19:22 22:6 70:3		decisions	55:23 62:7 67:22 68:9 76:21 94:24 98:23	depending	84:10	differently	24:12 57:23
customer	39:21 39:23				depends	92:19	digital	3:6,23 4:6 105:1,3
					deponent	1:17		106:6,10
					deposed	5:13	digitally	105:6
					deposition	4:5 5:18 8:7,21 9:20 52:7 91:17 101:18 101:23 104:1 107:4	digits	34:6
							diligent	93:18
							direct	3:3 4:24 45:5 66:3 73:13 79:19
							directly	50:19

[directs - employer]

Page 8

directs 7:17	division 1:2	doubt 65:15	education 11:3
disclosed 64:21	92:20	66:9	11:23 65:5
64:24	document 7:12	driver's 4:14	educational
disclosure 3:15	7:13 12:15	due 83:8	11:5
60:14,17,24	26:16,19 31:19	duly 4:21	effective 19:2
61:6,6,8 69:6	33:8 60:20	duties 14:18,22	eight 76:17
99:20,20 100:3	65:13 66:11,24	18:6 19:25	either 94:17
100:7	67:1,6,10	67:22	96:19
disclosures	70:11 71:11	duty 22:11	election 62:18
60:11	72:15 73:9,21	dycom 56:15	elections 35:25
discovered	73:25 74:8,21	56:17 58:8,11	36:4 43:24
23:14	104:12	71:8 72:21	electronic 4:9
discovery	document's	79:23,24 80:2	70:25 71:1
22:12	67:21	80:21,25	electronically
discrepancy	documents	101:13	44:1
67:2	8:20,23 9:5,6	dycom's 81:7	eligible 42:15
discuss 13:23	9:11,13,17	dying 65:12	email 33:17,25
14:6 49:15,20	34:3 58:7	dyson 71:7	72:9,12 78:14
101:9	70:17,20,23	e	78:15 80:18,20
discussed 9:20	71:3,15 72:4	e 3:1,12 4:1,1	employed
9:22 10:1 29:3	72:11,21,25	5:7,8,11 19:14	10:14,16 14:8
49:3,11 75:3	73:4,9 91:16	19:15	15:6 75:6
82:15 84:14	101:10,11,14	earlier 20:8	106:15
discussing	101:16,25	37:1 49:3,12	employee 13:6
30:22 82:18	doing 18:7	49:21 53:1	27:6,7 28:2,19
95:22	47:24 91:17	55:11 69:13	30:8,10 40:25
discussion	95:2	80:24 84:19,23	41:2,3,13,25
89:12	dol 69:2	88:9,23 97:9	42:1,2,4,6,7
dispute 61:13	donald 89:3	98:23 99:19	74:24 80:12
63:16	dot 28:18,18,18	ease 14:10	106:13,15
district 1:1,1	double 39:10	ecological	employees 27:9
91:8 92:20	doubled 37:10	14:21	28:16 42:4
diversified	37:17,17 38:8	economics	employer 17:22
63:13	39:2	11:18	36:14 56:21
			72:17 73:2,3

[employer - fees]

Page 9

80:7 employer's 25:16 56:22 69:12 employment 11:3 19:5 28:16,17 engaged 37:21 engineering 19:8,10,22 20:12 21:5,9 23:3,11 24:5,8 24:12,21 25:17 25:18,21 ensure 106:11 entire 15:3 31:7 entirely 20:18 entirety 106:9 entitled 49:2 87:9 106:8 entity 75:20 equipment 4:9 erisa 27:24 28:5,9 errata 3:5 103:2 107:10 107:12,13 erroneous 85:8 erroneously 85:8 esq 2:4,10,15 essentially 72:18 96:3 esther 10:10	estimate 92:9 92:11 etcetera 72:17 events 5:23 7:23 8:2 92:4 everyday 6:21 everyone's 90:19 evidence 105:7 exactly 31:14 examination 3:3 4:24 45:5 66:3 79:19 examples 93:21 exceed 32:19 exceeded 37:6 38:14,15,19 exceeds 31:7 except 104:3 exchange 29:5 executed 42:6 42:10 104:14 executing 41:4 41:6 execution 27:9 exercise 67:25 exhibit 3:13,14 3:14,15,15,16 3:16 12:11,17 26:14,15,18 33:6,8,10 40:20 60:19,22 65:10,11 66:6	70:10,13 73:20 73:23 97:11,11 exhibits 9:1,2,4 expect 91:4,6 92:15 expected 32:22 92:17 expenses 75:22 expensive 50:25 51:6 75:22 experienced 25:20 expert 37:25 88:24 experts 37:22 38:4,6,12 expires 1:24 104:23 105:21 expressed 104:16 expressly 41:25 extend 66:25 extent 30:7 101:15 f	factors 54:11 54:17 fails 107:15 fair 40:16 87:21 92:2,4 falls 28:23 29:9 30:20 familiar 15:5 20:25 46:19,25 60:10 82:5 83:14 94:19 far 29:24 45:21 47:9 59:5 65:1 65:3 82:23 85:6 95:17 features 66:23 federal 22:10 fee 60:10,16 69:5 86:22 88:2 99:20 100:3,7 feel 14:5 16:11 25:24 44:9 45:15,25 46:9 47:8,12,22 49:1,10,19 50:22 57:25 60:9 95:14,16 feeling 17:11 35:7 49:4 55:18 fees 54:5 64:12 64:23 70:2 75:22 77:15 87:22
---	---	---	--

[fell - further]

Page 10

fell 41:15	final 4:17	follows 4:22	84:4,7,16,24
felt 17:22 43:15	finance 11:16	forced 97:18	96:11 97:18
45:17 49:25	financial 12:6	forecasts 81:4	98:21
50:3 85:9	29:20,22,23	foregoing	fresh 52:2
fiber 14:21	31:22 56:8	104:1,13 106:5	front 6:5 87:19
fidelity 35:22	65:5 81:3	forgetting	full 5:6,20
46:8,10,12,13	financially	25:16	fully 20:9 42:2
47:6,15,18,23	106:16	form 4:11 17:2	42:12
48:2 49:13,23	find 88:6	17:12 18:2	fund 35:22
50:1,16 53:2	fine 7:7	23:5,23 24:18	46:20,23 47:1
55:7,12 76:10	finish 6:23,23	25:6 26:4	47:4 50:8
100:9	11:13	28:10 31:4	52:19,19 53:2
fiduciaries	firm 19:8,10	32:2 35:18	53:5 64:4 84:1
68:12	85:15,16	37:7,12,19	84:1 96:11
fiduciary 24:8	firms 19:9,12	38:10,16,20	97:24
field 12:21	22:23	40:18 41:17,20	funds 26:12,12
figure 23:18	first 4:21 13:5	43:25 44:12	45:24 46:8,10
54:24	27:1 30:5,6	48:16 51:7	46:14 47:6,14
figured 62:19	31:19 42:15	55:9,19 68:15	47:16 48:2,15
62:20 82:19	60:23 61:20	68:23 83:19	49:7,13 50:1
figuring 95:20	70:15 97:13	84:8,17	54:23 55:8,12
file 23:16 31:17	fishel 19:13	former 10:4	61:24 62:3,11
45:11	22:23	74:24	64:9 68:21
filed 10:18,19	five 28:1	fort 1:21	69:17,21,25
10:21 14:20	fixed 63:25	four 77:12	83:11 84:4,7
22:9 31:19	fl 1:21	fourth 66:18	84:16,24 97:19
41:16 48:13	florida 1:23 4:8	frame 75:8	98:21,25 99:13
51:21 88:18,20	4:13 10:11	freedom 35:22	99:16
88:20	12:21 105:4,21	46:8,10,14	further 45:5
files 70:24	foggy 5:25	47:6,16 48:2	66:3 91:2
filings 15:23	follow 73:7	48:15 49:7,13	101:8 102:3
85:9 88:22	101:19	50:1 53:2	105:12 106:12
filings 8:24,25	following 74:3	54:23 55:7,12	106:14
9:2 88:10	75:23	61:24 62:3,11	
		64:9 83:11	

[g - husband]

Page 11

g	34:1 40:20,21 41:22 44:21,25 45:3 61:18 62:20,22 63:10 65:10,23 66:1 66:16 67:15 70:10 73:20 79:11,14 81:9 91:2 101:18,23 102:23 gonna 5:15 12:11 26:14 58:5 good 4:3 44:23 57:2 79:12 90:16,18,24 101:2 gotten 39:7 govern 67:1 grew 34:18 grindstaff 15:9 ground 5:15 group 80:20 grow 17:18,23 18:1 grown 17:20 21:12 growth 17:25 21:19 24:25 25:3,3,15,18,19 26:2 guess 43:23 87:18	h	hereunder 30:9 hereunto 105:16 106:19 hh 1:23 105:21 high 11:5 55:14 higher 98:15,16 highlighting 71:22 hired 12:21 13:8,20 historical 53:19 53:21 57:15,16 57:19 58:3 81:1,2 history 11:3 19:6 hmm 23:13 32:15 95:18 102:14 hold 101:18,23 102:11 holding 58:18 home 18:16 honest 33:2 80:17 99:6 hour 7:8 8:13 79:12 house 102:16 houston 1:2 2:16 how'd 56:20 hr 42:17,19 76:8,14 80:20 husband 10:14 75:3,4 76:4

[hypothetical - investment]

Page 12

hypothetical 41:17	included 100:3 100:8	informed 67:21 74:23	73:20
i	includes 12:25	informs 17:9 29:15	introduced 5:1 invest 47:16 53:5 57:24
idea 75:14 86:18 92:12	including 28:18 73:11 75:21 77:15 99:16	infrastructure 80:3	61:23 62:20 80:25 98:11,25
identification 12:17 26:18 33:10 60:22 65:11 70:13 73:23	income 28:3,19	initial 59:22	99:4,8,10
identified 4:13 38:12	increase 43:11 43:14 77:6	initially 81:15	invested 20:20 21:5 22:18,22
identify 35:3 48:18,21 75:19 76:18 78:24 79:6 94:12,16	index 64:5	instances 75:19	24:24 26:1,12 33:4 35:21
identity 104:12	individual 36:10 63:14 95:11 96:2	instructions 68:14,18	62:10 69:17,22 70:3,8 79:22
imagine 61:11	individually 1:5	instrument 104:14	84:4,10,11 96:12 99:13
impact 7:23	individuals 16:3 77:17 83:6	intend 95:10	investing 47:23 82:25 86:16
implement 94:14,14	influenced 76:20 77:2,9	interest 16:8 78:23 79:7 82:19,20 85:10	93:18,19
implemented 93:22	information 3:15 22:12 29:12 56:5 57:10 59:23,25	interested 105:14 106:16	investment 11:21 12:7 21:1,4,20
important 70:5 91:18 100:3	60:2,5,24 61:12 63:2	interests 91:22 91:22 92:1	22:18 35:3 37:16 38:7,13
improperly 48:14	64:15 65:2,8 69:8 70:6	internal 34:4	38:18 39:1
imprudently 39:4	72:19 75:17,24 76:15,18,23	international 46:25	43:17,24 44:19 47:7 51:3,6,10
inappropriate 55:13 95:3	77:16,22 81:20 84:13 85:11	interpret 66:25	54:18,22 55:4
incentive 80:13	86:8 99:21,24	interrogatories 74:11	55:13,23 56:6
inception 36:7	100:2,3,10	interrogatory 74:22 75:18,25	58:8 60:3 61:19,22 62:7
include 27:24	101:16	76:17,24 77:12 78:20 79:5	63:11,13,24 64:1,4,6,7,13
		introduce 12:11 26:14	64:20 67:21
		33:6 60:19	68:5,9,14,18
		65:10 70:10	72:16 75:22

[investment - lawsuit]

Page 13

76:21 94:3,6 94:23 95:2,6 96:5,7,11 97:15,21 98:16 98:20 99:5,9 101:12 investments 20:16,19 21:8 21:12 26:8 39:11 44:5,15 44:18 45:11,11 45:21 46:1,5 46:16 47:9,11 50:24 53:23 55:2 56:1 57:18 58:3,12 58:25 59:3,6 63:20 67:17 68:5,10 69:14 70:3,6 75:15 77:14 83:15,18 85:17 86:8,12 93:4,7 94:24 96:15,19,23 97:13,15 98:5 99:2 100:14,18 investor 53:9 100:4 investors 54:16 involuntary 40:23 41:1 involve 11:20 involved 29:17 82:7,25 83:9 89:24 91:15	j j 2:10 january 77:17 jcroberts 2:7 107:1 jensen 15:11 job 1:25 12:3 13:16,17 14:18 14:22 18:6 19:23,25 103:25 104:25 john 2:4 22:14 join 85:3 joined 18:4 36:11 42:23 43:1 judge 6:6 7:20 74:12 92:6 july 12:18 jump 6:22 44:22 june 27:14 36:12 jurat 3:5 103:2 k k 1:7,11 5:11 keep 25:16	kept 45:17,19 kim 15:15 kind 25:24 27:23 85:8 kip 15:17 know 5:1,23 6:3,20 7:9,11 13:14 20:19 21:4,8,12,17,21 22:18 26:7,11 26:11 35:9 38:6 44:17 46:16,22 47:3 47:24 48:1,10 48:15 51:9 62:25 65:1,3 67:17,20 68:19 69:21,23,24 70:1,2,6 71:6 74:5 75:17 76:16 80:4,21 81:20 82:14 84:18 85:6 86:25 87:2,12 88:19 89:7 90:1,3,8 92:7 92:13,21 93:9 94:25 95:1 96:7,10,15,18 97:7,8 99:3 100:4 101:11 101:15 knowing 40:23 41:1 42:7	knowledge 21:14 53:7 57:25 62:20 64:22,25 84:5 84:12 85:1 93:3,6 100:6 knowledgeable 53:8 known 104:10 kosher 50:4 l l 5:7,7,11 19:14 19:15 laliberte 1:4,17 3:2,5 4:5,20 5:1,7 74:23 103:2 104:1,6 104:10 107:3,4 language 66:22 law 85:15,16,21 lawsuit 5:5,19 9:7 10:18,19 10:21 14:13 15:23 16:2 23:16 29:8 30:17,20,24 31:12,15,17,21 32:5,19 41:15 41:16 46:22 48:13 49:6 51:9,12,21 52:22 79:8 81:22 82:7,12 83:15 85:4,12 86:1,5 88:11
---	--	--	--

[lawsuit - mary]

Page 14

89:8,20 92:22 93:16 95:1,11 96:3 99:16 lawsuit's 45:8 46:2,7 47:3 97:4 lawyers 86:25 87:2 leads 83:5 learn 42:15 93:12 96:21 leave 18:11 leaving 19:6,7 left 7:12 18:17 19:2 63:11 legal 23:20 24:3,20 40:14 40:16 81:15,17 82:23 83:6 85:7 106:3 107:19 letter 3:13 12:12,24 14:2 letting 67:20 level 5:16 lewis 2:11 5:4 license 4:14 limitation 28:18 limited 73:11 101:20 line 19:9 36:8 44:22 76:12 103:3	lines 7:2 28:1 101:20 link 62:6 list 63:24 listed 64:5 listening 102:15,18 litigation 22:3 34:3 37:22 73:17 79:6 little 5:25 11:2 45:7 81:9 llp 2:5,11 local 4:18 located 4:12 location 1:20 login 59:22 logistically 43:23 long 8:12 18:9 18:17 32:25 75:3 longer 71:14 look 28:1 34:4 44:14 53:21 54:4,7,10 56:5 57:6,9,18 58:2 58:3 61:9 66:6 77:22 81:3,6 85:16 looked 47:13 49:21 53:1 57:2,8 99:19 looking 7:11 31:10,21,22,24	36:2 39:15 53:14,15,19 69:6 78:4 93:16 94:3,6,9 97:12 looks 27:22 loop 2:16 lose 16:12 loss 16:11 losses 68:13,17 84:15,20,24 85:1 lost 16:20 17:1 17:17 71:21 84:22 lot 6:9 50:23 loud 63:21 66:17 m m 2:15 5:7 56:19 79:15,25 made 43:17,24 56:25 57:7 62:12 63:4 68:9 74:10,11 78:22,24 79:8 80:13,15,16 maiden 5:11 major 11:11 majority 51:15 make 5:16 6:15 6:18 7:16 39:20 44:4 52:2 54:19 55:23 61:22	62:17 87:22 92:8 93:16,19 94:24 98:23,24 makes 57:5 making 45:21 67:21 98:10 manage 20:2 23:12 62:24 managed 23:4 23:7,15 25:21 39:4 47:8 52:19,19 69:22 69:22 86:20 management 52:22 54:7 manager 19:24 20:1 64:4 76:12 managing 15:25 marie 1:4 92:25 marin 89:5 mario 106:3,24 marked 12:17 26:18 33:10 60:22 65:11 70:13 73:23 market 35:9,16 35:20 37:16 39:2 64:5 marriage 105:13 married 10:12 mary 1:4,17 3:2,5 4:5,20
---	--	--	---

[mary - needs]

Page 15

5:7 103:2 104:1,6,10 107:3,4 match 13:5,12 36:14 matches 13:7 material 56:2 materials 55:23 mathew 2:10 mathew.mck... 2:13 matter 37:22 78:23 79:8 105:14 106:8 106:17 matthew 5:3 mckenna 2:10 3:3 4:25 5:3 25:12 44:21 45:6 65:20 66:4 79:11,20 100:23 101:8 102:3,10,16,20 mcknight 1:5 mean 27:21 30:12 45:19 46:11,14 47:11 61:21 67:19 89:22 90:14,18 91:25 100:6 means 29:20 31:23 43:8,11 43:15 meant 29:17 43:10 66:24	67:6 measured 64:4 medication 7:22 meet 63:14 meeting 8:9,10 8:12 20:6 meetings 97:1 member 86:5 members 15:6 15:24 20:2,23 90:9 94:9 message 39:16 met 82:21,22 92:24,25 96:22 mics 33:7 middle 36:1 miller 2:5 82:1 82:11,15 85:2 85:14,24 86:2 millereslah.c... 2:7 107:1 minute 79:13 minutes 44:21 44:24 mis 45:15 misinvested 28:22 misinvestment 28:12 83:7 mismanaged 23:17,19,22 26:1 38:25 45:15	mismanagem... 26:3 83:8 misstates 26:4 55:19 misunderstood 59:4 mm 23:13 32:15 95:18 102:14 modules 65:5 moment 30:22 57:17 69:6 monetary 30:9 49:15 money 16:12 16:21,24 17:1 17:17,21 18:1 20:19 32:23 37:17 38:24 39:3,7 47:16 57:4 87:5,10 88:3 89:7,10 98:11 99:10 monies 16:11 monitor 16:8 45:11 48:1 93:19 94:23 96:18 monitored 45:15 47:22 monitoring 16:4,7 45:14 48:14 94:1 months 51:20 51:24 52:9	59:1 morgan 2:11 5:4 morganlewis.... 2:13 morning 4:3 5:1 mother 18:16 multiple 89:24 mutual 64:4 69:17 n n 3:1 4:1 5:11 5:11 name 4:6 5:6 5:11 15:9 25:16 79:22 81:23 89:1,3 104:13 named 10:1 90:6 92:21 names 1:12 5:10 19:11,19 necessarily 46:12 need 6:19 7:9 27:17 44:9 49:19 50:22 60:9 needed 41:9 49:25 62:12 65:2 82:21,22 83:6 85:7 needs 7:20 63:14 82:21,22
--	--	--	--

[negotiate - options]

Page 16

negotiate	87:22	62:6,23 66:16	obviously	5:17	73:7,20 74:4
neither	106:12	67:15 71:12,19	oct	1:24 105:21	78:1 79:11
never	49:25	72:14,24 73:18	offer	3:13	80:9,16 82:7
	61:16 64:15	74:23 75:18		12:12,24,25	92:24 93:1
	65:7 66:11	76:17 77:12		14:2	100:22 102:2
	76:3 78:18	78:20 95:17,21	offered	14:15	old 10:6
	92:24,25	97:12		20:16 26:8	omission 78:25
	100:14	numbers 21:22		42:17 46:5	once 7:8 43:14
new	22:12	21:23 34:2		54:22 97:25	59:11
nick	15:9	57:8,9,11	offering	13:13	ones 38:2 88:13
nine	77:12	100:8		13:15 46:13	online 43:25
no.1-20	1:12	nw 2:11		84:1	open 101:18,23
nodding	7:4	o	offers	13:16,18	operated 24:16
non	8:18 30:10	o 4:1 56:19		63:12	opine 38:6
	30:17,24	79:25	office	12:22	opinion 17:7,9
nope	15:16	oath 4:16 6:4		104:17	21:16 32:12,13
	76:13	74:11 104:11	officers	78:21	35:2 37:14
normal	6:21	object 17:2,12	offset	30:9 31:2	47:20 49:4
north	2:16 20:6	18:2 23:5,23		32:7	52:24 55:17
notarize	107:11	24:18 25:6	offsets	31:11	95:5
notary	1:23 4:6	26:4 32:2	oh	22:13 71:24	optic 14:21
	104:21 105:3	35:18 37:7,12	okay	4:3 5:15	option 20:24
	105:21	37:19 38:10,16		6:2,14,25 7:1,6	21:1 43:19,21
note	107:9	38:20 40:18		7:15,21 13:23	54:18,25 55:13
noted	104:3	41:17,20 44:12		14:15 17:11	57:2 61:23
notes	9:13	48:16 51:7		19:11 22:10	62:19 64:1,2,6
	52:11,13	55:9,19 68:15		24:1 26:14	64:7 96:5,7,11
notice	61:20	68:23 83:19		30:11 32:13	98:16,21 99:1
	64:5	84:8,17 87:14		34:8 36:6 37:5	99:3,4,8
notices	77:20	objection 79:4		40:15 45:13	options 22:18
	78:10,13	objections 4:15		48:13 55:3	47:12 50:25
number	34:2,8	7:17,18 73:15		58:11,18 59:7	54:22 55:4
	34:9 39:15,22	105:8		65:10 66:5	56:6 60:3
	39:24 41:23	objective 28:10		69:5,21,24	63:11,13,25
	49:22 61:18	31:4		71:24,24 72:1	64:13 75:22

[options - period]

Page 17

94:3,6 orally 75:20 order 102:8 orientation 13:21 original 102:9 106:6,10 originally 22:9 outcome 105:14 106:17 outcomes 98:12 outline 100:25 outperformed 44:18 outside 49:6 56:11 overlapped 35:13 oversee 20:3,4 overview 67:5 82:16 owed 31:12 95:14,16 owing 30:10 31:2 own 23:21 45:8 89:22 90:14	63:10,11 71:11 73:8 74:21 75:19,23 76:17 76:22 77:12 78:20 79:2 103:3 pages 64:12 107:12 paid 29:24 77:15 86:25 87:2 pandemic 35:13 paper 43:24 paragraph 27:1,16,20,21 30:5,22 40:22 41:11,23 61:20 62:5 63:20 67:16,18 97:13 paragraphs 66:18 paralegal 11:12 18:8 pardon 82:4 87:1 parent 80:8 part 85:10 participant 16:17 32:25 44:5 50:9 53:6 53:13 58:24 67:10 74:25 75:4,16 83:25 84:3 86:19	93:7 99:20,22 participants 67:6 84:7 88:4 89:14,15 90:22 90:25 92:8 93:10,13 98:7 participate 18:21 20:11 42:16 43:15 76:21 77:3 participated 75:12 83:2 participating 20:14 43:3,7 68:21 77:6 participation 16:25 72:15 76:19 particular 48:19,20,21 52:4 81:12 parties 41:3 105:13 106:13 106:15 parts 51:16 party 16:9 29:16 passage 7:25 passive 52:22 54:8 passively 52:19 69:22 past 7:23 8:1 path 11:14	pay 27:6 30:16 43:11,14 77:5 77:19,23 paying 87:5,19 payment 27:10 29:6 31:7,11 31:25 32:5,7 37:6 payments 30:8 31:1 penalty 6:4 pending 7:11 pennsylvania 2:11 pensacola 1:20 1:21 4:13 10:10 11:10,24 12:21 people 49:17 89:24 90:1 percentage 87:10,12 perfectly 7:7 performance 44:14 50:1,9 53:15,17,19,20 53:21 57:12,12 57:14,15,19 58:3 64:3,12 64:20 77:14 81:1,6 performed 21:9 21:18 97:25 period 34:15 35:10,12,15
p p 4:1 5:12 pa 2:6 page 3:13 26:19 27:1,15 30:4,4 34:5 35:21,24 36:1 39:15 60:23			

[period - prepare]

Page 18

38:8 71:16 92:13 96:12 perjury 6:4 permit 14:16 14:18 19:24,25 permits 14:20 14:21 permitting 20:5 person 14:1 15:2 75:20 78:24 90:3,5 104:13 personal 17:7,9 21:16 29:14,15 32:12,13 34:13 35:2 37:14 38:15 39:6,10 70:24 93:3,6 95:5 personally 16:12 48:25 104:10 persons 1:6 philadelphia 2:6 phone 43:25 62:6 93:1 100:8 pickens 1:21 place 105:10 placed 47:14 places 45:25 placing 14:21	plaintiff 3:16 3:16 10:2 71:13 73:14 74:23 75:24 76:23 77:18 79:3 90:6 92:21 plaintiffs 1:8 2:3 82:8 plan 1:7,11 3:15 13:3,4 14:7,11,13 15:25 16:7,12 16:16,19,23 17:24 18:21,23 18:25 20:11,14 20:16 21:6,9 21:24 22:2,15 22:22 23:4,4,7 23:11 24:5,12 24:13,16,21 25:1,4,19,19,21 26:2,3,9 28:12 31:8 32:24 33:1,4,13,16,21 36:11,22 37:1 37:2 39:4 40:3 40:9 42:16 43:3,18 44:2,6 44:15,18 46:5 46:14 47:7 49:21 50:10,25 51:6 53:1,6,13 53:14 54:22 55:4,13,25	56:11,22 58:11 58:25,25 59:2 59:21 60:3,25 61:9 62:24,25 63:12 64:13 65:4 66:7,8,13 66:20,22,24 67:1,3,5,10,13 67:25 68:9 69:12 71:14,14 72:3,7,11,16,20 73:3,4 74:25 75:3,4,13,16,21 76:4,15,20,21 76:22 77:3,14 77:15,19,20,25 78:5,10,13,16 81:11 83:3 86:17,20 89:13 89:15 90:17 93:7 94:4,7,19 94:22 96:13,16 97:10,16,25 98:7 99:14,22 100:15,17 101:13,14 plan's 59:16,24 60:10 63:24 64:20,23 68:12 82:20 83:25 96:22 planned 75:21 planning 12:9 56:9 65:5	plans 24:8 57:18 72:17,20 73:1 please 4:19 5:5 10:9 25:10 27:4 32:3 34:9 63:2,22 83:23 pllc 18:5 pocket 87:5 point 13:2 25:25 44:23 79:12 95:15 points 12:25 policies 97:2,4 portfolio 63:14 portion 75:13 position 14:15 20:9 positive 5:3 positively 4:13 possibility 84:12 possible 5:17 6:9,19 84:6,9 possibly 32:24 95:12 potential 86:4 90:8 predict 6:21 preferences 93:13 prep 8:9 prepare 8:7,20 52:6
---	---	---	---

[prepared - question]

Page 19

prepared 52:14	produce 9:17	publicly 56:4	34:5 38:24
preparing	produced 3:24	80:21	39:16 41:12
73:10	9:6 22:2 34:3	pulled 58:22	42:24 43:1
present 8:14	71:4 72:12	purchase 56:25	45:10,14 46:12
presentation	producing	57:7 58:14	46:13 47:20
12:11	101:12	80:14	48:1,14,19,22
preserve 7:19	production	purchased	50:9,14 54:24
pretty 63:9	70:15 71:12,19	56:21 58:1,19	58:24 60:24
prevail 87:8	72:14,24	purchasing	65:1 66:7
previous 13:16	professional	58:19,19	74:24 75:7
principal 66:23	12:1	purpose 59:20	76:6 79:9
principles	program 80:13	purposes 4:17	81:10 82:12,17
11:21	promptly 63:3	34:4 104:15	83:1 86:17,19
printed 74:1	proper 48:8,11	pursue 95:11	89:8,11 93:17
prior 41:4,5	pros 56:6	put 32:23 45:24	93:25 94:13
82:10 88:21	proved 104:11	46:9 50:18	96:15 98:4,23
probably 7:8	provide 5:20	q	98:24 99:3
58:9 59:19	90:16,24	qdia 20:25 21:5	107:3
95:22 101:21	provided 9:5	qpa 94:19	quanta's 36:14
probe 23:22	9:16 27:8	qualified 21:1	48:24 70:14
probst 15:19	57:10 65:1,16	61:19 94:19	99:10
procedure 4:18	66:9 67:22	qualifies 28:11	quarter 17:25
22:11	69:9 91:16	28:13 91:13	34:10,15,19
procedures	99:25	quanta 1:7,10	59:11 78:7
97:3,5	provides 62:5	1:10,11 2:15	quarter's 53:18
proceed 4:23	provisions	5:4 12:12	quarterly 59:7
95:10,10	40:24 66:25	13:20,24 14:6	59:13 96:22,25
proceeding 4:9	67:3	14:7,12,16,23	question 6:10
102:23 105:10	prudently 23:4	15:3,6,24 18:4	6:12,12,22
106:10	23:7,11,15	18:18 19:2,6,7	7:11,18 17:14
proceedings	25:21	21:20,23 24:13	17:15 23:9
3:23 8:24	public 4:6	24:16 25:4,5	25:9,11,13,14
105:7 106:7	104:21 105:4	25:19 26:1	25:15 59:4
process 16:4	publications	27:23 28:8	83:23 87:3
24:8	55:22	32:25 33:4	

[questioning - releasable]

Page 20

questioning 44:23 101:20	103:1 104:1 107:6,8	32:6 33:24 40:4,9 58:7	recover 31:14 31:21,22,25
questions 5:18 6:9,24 7:12 39:21 101:1,9 101:17 102:4	reading 32:14 real 65:19,22 realized 74:1 really 53:12 85:5 92:19	61:5 70:15 71:15 74:2 77:20 receiving 12:18 60:16	32:5 87:14,23 88:3 recovered 87:10 recovery 87:15
quick 44:23 65:19,22 100:24	reason 14:5 40:2 49:10	recently 52:10 52:11	refer 14:11 34:1 97:10
quickly 69:11 79:21	61:13 65:15 66:9 88:1 103:3	recess 45:2 65:25 79:16 101:5	reference 14:10 69:2 referenced 107:5
r	reasonable 40:10 44:11 49:13 51:3 87:20	recognize 12:15 15:9 26:16 33:8 60:19 65:13	reflected 16:20 reflecting 72:15 refute 73:11 regarding 28:14 56:5 75:21
rate 34:13 38:8 49:14 50:24 55:14 63:25	recall 7:23 8:1 8:23 9:4 12:18 13:20 15:1,2	70:11 73:21 89:1,3	reggie 15:19 regulation 69:2
reach 81:17	19:11 27:12	recollection 5:24 6:1 20:17	relate 72:25
reached 42:17 42:19,21 50:11 50:13,16,18 76:14 81:15,16 81:19,23 100:9	33:3 38:2 42:19,21 43:17 43:23 51:16 52:1 60:16,18 61:5,7,11 70:14 75:5,6 75:12,15 78:10 87:13 88:25	record 4:2,4,8 5:2,6 7:19 20:9 22:14 27:18 44:25 45:4 65:18,21,23 66:2,5 73:8,24 74:5 79:14,17 101:3,6,10	related 71:15 77:15 101:12 105:12 relating 28:15 68:9 73:4 101:14 relationship 54:14 80:6
read 13:2 25:12 27:1,16,17 30:6 37:25 39:19 40:22 41:23 42:1,9 51:12,17,19,21 61:16,20 62:23 63:19 66:11,17 67:16 88:10,15 88:17,19,21,24	receive 27:10 29:18 33:15,18 43:11 72:3 78:13 92:15	102:23,25 106:11 recorded 3:23 recording 3:23 received 13:18 27:12 29:5 30:9 31:1,7,25	relative 106:13 106:14 releasable 30:7 30:10,18,25

[release - right]

Page 21

release	27:22 28:8,24 29:5 29:10	45:3 65:23 66:1 79:14,17 101:3,6 102:8	reserves	73:14 79:3 103:1	44:11 49:14 50:24 55:14
released	30:16 30:21 41:2,15 41:19	102:12,15,19 102:22 105:1,3	resort	1:20	63:20 64:1
relevant	22:12 101:17	reports 37:25 88:24	respect	24:4 93:25	83:11 107:12 returned 35:4,4 83:12
relied	73:10 76:19 77:16	represent 73:24 88:7 91:25	response	71:13 71:18 72:17	returning 49:13 returns 54:14 96:11 98:15,16
rely	55:22	representative 79:9 82:10 90:12,15 91:14 91:19 92:16	responses	3:16 3:16 7:3 22:12 74:15,18	review 8:20 16:16 52:6
remember	6:1 19:19 33:2 43:21 53:3 80:17,18 81:23 81:25 88:13	representatives 1:5 38:24 45:10 100:9	responsibility	67:10 70:14 91:19 98:12	58:25 59:2,10 60:5 63:3 64:8
remote	4:16 20:9	representing 5:4 82:8 91:22	responsible	15:25 68:8,13	67:12 73:10 99:21 101:24
remotely	101:22	request 58:9	responsive	58:10 70:18,21	reviewed 51:23 52:1 59:6,7
removed	94:4 94:10	71:12,18 72:14 72:14,22,24,25	restate	71:3 72:22	64:15 65:7
repeat	6:11 17:15 23:9 25:9 32:3 70:19 83:23 90:23	73:5,9,14,16,18 requested 22:5 72:19	resulting	73:5 75:24 76:24	67:12 73:10 77:19 78:5,11
rephrase	6:12	requests 70:15 70:18,21 71:3	retirement	78:18 86:7 87:3	78:18 86:7 106:9
report	14:25	required 3:15	reviewing	106:9 77:23	40:3
reported	1:23 105:6	60:23			
reporter	3:6 4:3,7,23 6:17 7:3 12:14 25:14 44:25	requires 64:5 reread 30:13 research 58:1 85:14,17	revisit	68:18	69:11 102:1
					rfp 3:16 72:18 rfp's 58:10 richard 89:5 riddle 15:15 right 4:19 14:20 19:3 21:18 26:24

[right - services]

Page 22

29:6 32:1 34:5 37:23 42:4 43:4 46:5 62:13 73:14 79:4,23 86:17 95:25 96:19 97:5,19 100:23 102:5 103:1 rights 41:1 66:22 risk 53:22 54:14,20 93:10 riskier 98:15 road 1:21 roberts 2:4 12:13 17:2,12 18:2 23:5,23 24:18 25:6,17 26:4 28:10 31:4 32:2 35:18 37:7,12 37:19 38:10,16 38:20 40:18 41:20 44:12 48:16 51:7 55:9,19 65:18 65:21 68:15,23 83:19 84:8,17 101:2 102:2,5 102:12,14 rog 3:16 rough 92:11 roughly 8:13 31:20	route 62:21 rule 7:20 rules 4:18 5:16 22:11 107:14 runs 5:17 rupp 15:17 s s 3:12 5:11 19:14,15 salary 36:10 39:10 saved 33:25 savings 1:7,11 3:14 13:3,4 14:7 22:20,25 33:12 56:12 58:12 60:25 66:8 69:12 saw 40:6 saying 30:15 34:25 59:5 says 28:2 31:11 34:5,13,16 36:20 39:16 51:9 52:22 60:23 63:2,12 71:13 73:14 75:19 77:18 78:20 89:24 scheduling 20:7 school 11:5 scope 28:24 29:9 30:21 41:15 101:21	seal 104:17 search 70:23 81:18 sec 33:15 second 8:17 13:2 18:12 27:15 63:1 71:13,19 secretary 18:7 section 36:3 62:5,23 69:3 security 28:3 28:19 64:3 see 12:25 26:20 27:25 28:2,19 34:5,12,15 35:21,24 36:6 36:7,17 39:16 47:13 60:23 61:2 62:8,14 63:2,5,12 69:2 71:16,22,25 75:25 76:24 77:20,24 78:1 93:22 100:25 101:25 seek 81:18 85:11 87:23 89:10 96:2 98:14 seeking 24:3,20 31:14 32:4,8 89:7 90:11 seeks 73:9	seemed 13:12 82:20 seems 34:24,25 87:21 seen 21:22 select 97:18 98:5 selected 20:24 43:19 54:25 75:15 96:15 97:24 99:1 selection 99:7 seminar 12:7,9 send 102:20 sense 6:15 11:4 54:19 100:5 sentence 30:6 30:11,25 31:10 32:6 39:19 71:13,20 73:13 74:22 75:23 76:23 77:18 79:2 separate 56:23 56:24 74:3 separated 10:17 september 61:3 106:20 107:2 serve 90:11 service 39:21 39:23 services 1:7,10 1:10,11 2:15 14:6 39:17
--	--	---	--

[services - state]

Page 23

60:24 66:7	significance	68:2 71:18	specifically 9:4
serving 92:16	42:3,13	90:23 97:11	45:13 46:3
set 59:22 92:20	signing 28:7	100:20,22	47:25 51:16
105:16 106:19	similar 25:3,19	102:19	78:12 84:2
seven 27:16,21	61:6	sort 5:16,25	90:2 93:17,23
30:22 74:21	similarly 1:6	6:17,20 11:20	94:2,16
several 5:24	24:16 72:25	12:3 14:10	specifics 17:8
64:12	simple 32:22	17:16 31:22	75:2 94:15
severance 3:14	83:7	43:23 59:10	speculation
27:3,7,8 28:8	site 85:16	60:16 67:5	25:24
31:2,6,11,25	sitting 26:7	75:2 80:12	spell 5:6 56:18
32:5,7,14 37:6	48:18 71:2	81:3 82:14	spelled 5:7
40:21	73:17 74:17	94:12 101:16	spoke 49:12
shah 2:5 82:1	79:6 91:17	sought 87:14	50:6 76:3
82:11,15 85:3	94:12	sound 3:23	77:17 85:2,15
85:14,24 86:2	situated 1:6	19:3 67:21	86:2,15
shaking 7:4	six 34:6 71:11	sounds 101:2	spoken 38:4
shared 29:13	78:20	sources 77:16	86:4 93:1
she'll 102:21	skimmed 52:16	southern 1:1	spouse 9:19,24
sheet 107:10	52:17	91:8	74:24
shortly 42:23	small 46:20	spd 66:21,23	spurred 52:4
show 16:23	47:1	67:2,5,12	stamp 34:3
showed 17:24	smoothly 5:17	97:10	stamped 40:22
53:2	software 4:10	speak 49:23,25	stand 33:7
shown 21:19	solutions	55:7 62:7 76:6	standard 64:3
shows 35:21	107:19	81:22 90:19,21	start 20:14
36:7 64:12	somebody	90:25 100:9	started 18:7,7
side 63:11	13:24 49:23	speaking 9:22	18:18
sign 107:6,11	50:13 81:25	81:12 82:10	starting 66:6
signature 26:20	sooner 7:9	91:1	66:18
26:22 74:1,3	sorry 17:2,18	specialized	starts 13:3 79:3
104:2	21:2 25:12	4:10	state 4:7 5:5
signed 74:7,8	26:15 29:21	specific 35:3	11:10,24 20:6
107:17	35:18 36:3	78:10 93:21	28:14 80:5
	41:13 56:16	94:13 101:20	104:7,22 105:4

[stated - texas]

Page 24

stated 63:25	101:13	sums 30:9 31:2	talk 6:20 11:2
statement 3:14	stock's 57:12	supplement	talked 80:24
17:24 33:12,13	stocks 58:8	73:15,18 79:4	88:9 95:23
34:10 39:21	stone 89:3	support 73:11	97:9
40:10 63:17	street 2:5 10:10	sure 5:16 10:17	talking 14:12
71:8 72:1	strictly 54:25	16:15 20:18	29:9 50:23
78:24	stubs 77:19,23	22:16 23:10	57:17 72:18
statements	studies 11:12	25:9,11 30:14	target 26:12
16:17,19,23	style 53:25 54:7	31:18 32:4	69:25
21:25 22:3,15	subcontracting	33:2 45:21	tasks 20:3,4
25:1 33:16,23	19:9,17 22:23	48:8 51:1 52:2	taxes 27:6 29:6
40:4 49:22	subject 27:5	54:12 65:20	team 19:13
53:2,14 59:5,8	78:23 79:8	69:13 80:23	20:2 22:22
59:14 62:25	submitted	83:20,21,22	tell 48:4 75:2
63:4,8 71:8,9	88:24	84:21 86:24	telling 29:1,1
74:10 77:19	subpart 27:17	87:5 90:24	62:11
78:5 101:14	27:21 28:1	92:19 93:19	ten 40:22 73:18
states 27:25	30:5	94:8 95:4 97:3	78:20 79:13
76:18	subscribed	98:22 99:6	term 20:25
stay 18:16	104:13	surprise 96:21	60:13
stayed 77:13	sue 23:8 24:17	96:24	termination
stenography	81:10 82:17	switch 81:9	28:17
4:11	sufficient 97:1	sworn 4:22	terms 27:5 31:2
step 68:17	sufficiently	t	42:3,12
stephen 15:21	64:20,24	t 3:12 5:8	testified 4:22
stepping 45:7	suing 46:12,13	take 7:8,13	84:23
steps 23:21	47:18	11:15 23:21	testify 8:5 91:5
24:2 48:1,8,11	suit 27:23	24:2 54:20	testifying 6:5
85:3 93:12	85:21	62:12 85:3	testimony 3:2
stock 35:9	suite 2:5	91:11 100:23	26:5 55:20
56:13,14,20	suits 27:24	102:10,10	76:2 77:1
57:1,14 58:1	summary 3:15	taken 7:22 45:2	84:25 105:8
58:12,14 71:8	34:12 52:14	65:25 77:24	106:7 107:8
72:21 79:22	66:7,13,20,21	79:16 93:12	texas 1:1 91:8
80:9,25 81:1,6	67:5	101:5 105:10	

[thank - two]

Page 25

thank 5:9 12:13 12:14 22:17 71:24 100:22 102:5,7	thinking 35:7 59:5 third 62:5 66:18	title 19:23 titled 66:6 today 5:17 8:2 8:8,21 9:14,17 26:7 29:9 48:18 52:7 71:2,7 72:19	transcriptionist 3:7,24 106:1,3 106:8 treat 57:23 trial 91:3,4,10 tried 85:5 trigger 58:22 true 104:2 106:5 trust 20:23 66:24 67:1 98:23
thereof 105:16 106:19	thought 24:20 49:12 55:15 83:11 85:6 97:25	73:8,17 74:12 74:17 79:6 84:23 91:17 94:12 101:18 102:6	trusted 38:23 41:12 50:22 54:24 99:6
thereto 105:8	three 12:25 30:4 31:18,20 72:24 76:17	today's 4:9 9:20 102:22	trustees 1:10
thing 50:5	time 1:19 4:15 7:10,25 12:2 13:8,13 14:23 15:3,6 16:24	together 105:7 told 40:16 41:14 98:4	truthfully 8:5
things 6:18 24:15	31:16 33:7 36:11,15,23 37:18 38:7 40:7,9,12 42:13 43:9 44:5,10 50:3 68:20 75:8,13	took 48:1 top 92:23 95:19 total 12:24 touch 50:19 touched 88:23	try 6:22,24 7:8 88:6 92:2 93:12
think 7:25 8:4 20:8 21:13,17 22:15 23:3,20 25:25 26:2 28:11,13,21,21 28:23 30:20 32:16,18 37:2 37:5,9 38:14 38:19 39:3,13 44:2,22 47:10 49:3,11,21 50:23,24 53:1 54:4 55:11,12 57:17 58:5,7,8 58:9 59:4,6,22 63:1 69:13 71:3 72:17,22 74:2,19 80:24 84:19,23 88:9 88:15 89:12 90:24 91:13 92:7,9,18,19,25 95:23 96:25 99:9	75:13 77:7 84:20 86:14 92:13 94:11 96:12 97:22,22 101:23 102:6,9 105:10 107:15 timeframe 39:3 81:12 107:7 times 15:4 47:10 59:19 95:23 tisa 1:23 4:6 105:3,20	together 105:7 told 40:16 41:14 98:4 took 48:1 top 92:23 95:19 total 12:24 touch 50:19 touched 88:23 towns 20:5 track 45:17,20 tracking 34:4 traded 80:21 training 12:3,4 transcribed 106:9 transcript 3:24 4:17 6:18,19 102:9,11,21 107:5,16 transcription 106:6	trying 17:16,19 turn 26:19 27:15 30:4 34:9 35:24 40:21 41:22 61:18 62:22 63:10,19 66:16 67:15 71:11 73:8 74:21 turned 24:15 turning 76:22 twelve 73:8 79:2 two 11:8 18:10 18:13,19 27:1

[two - we've]

Page 26

72:14 75:18 91:11 tx 2:16 107:13 type 80:2 types 20:4	u	67:4,7,18,24 68:4,8,12 69:5 69:8 74:10 87:8 88:2 89:19,21 91:7 91:10,18,21 94:22 97:14 98:11,14 99:24 100:7 101:10	understandable 66:21 understanding 16:6 24:7,11 36:25 37:15 51:2 52:21 54:13,21 55:1 64:18 69:16 74:7 93:24	understands 42:2 understood 6:13 42:12 undertaken 86:11 undetermined 25:7,8 unit 10:10 united 1:1 unknown 1:12 unsure 23:6,10 24:19 30:19 31:5,16,21 38:17 44:3 54:1,3 68:16 69:18,19,20	video 102:9,11 view 64:19 87:20 visit 59:16 64:8 visits 59:21 vocational 12:4 volatile 35:15 voluntarily 42:6	
					w wait 43:6 waiver 40:23 41:1 walk 19:5 walnut 2:5 want 7:3 11:2 22:15,17 54:20 55:12 62:10 63:21 69:11 vehicle 72:16 verbal 7:3 verbatim 4:8 106:11 verify 107:8 veritext 4:7 107:12,19 veritext.com. 107:13 version 52:12 52:13 71:23 73:25 74:1,2,3 74:6,7 versus 52:22 54:8	wanted 52:2 61:9 80:14 81:10 98:14 101:9 washington 2:12 80:5 way 4:14 14:20 29:19,22 47:6 51:5 66:25 87:4 105:14 we've 50:23 58:7 71:6

[we've - yielded]

Page 27

72:18 79:11	work 18:4,8,13
95:23	19:9,16,21,22
website 33:21	49:18 92:2
44:2 59:16,21	worked 18:5
59:24 60:6	19:7,8,13
61:9 62:6 64:8	worries 71:22
65:4 78:16	wrap 7:13
100:8	wreaks 33:7
weeks 91:11	writing 75:21
went 66:5 91:2	wrong 45:14
99:2	47:21 74:1
werner 89:1	93:25 94:17
west 2:16	95:2
wheelhouse	wrote 74:23
53:12	75:24
wide 55:1	x
wilhelm 15:21	x 3:1,12
withdraw	y
36:22	y 5:7 56:19
withdrawal	79:25
59:23	yeah 17:16
withdrawals	35:8 63:22
36:20	102:21
withdrew	year 57:5 81:14
36:25 39:10	years 5:24 11:8
68:21	18:10,19 31:18
withstanding	31:20
40:24	yep 57:21
witness 4:12,15	71:10
4:21 102:7	yielded 98:16
103:1 105:16	
106:19 107:5,7	
107:9,11,15	
words 45:8	
89:22 90:14	

Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY. THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS

COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored in encrypted form and are transmitted in an encrypted

fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

Veritext Legal Solutions complies with all federal and State regulations with respect to the provision of court reporting services, and maintains its neutrality and independence regardless of relationship or the financial outcome of any litigation. Veritext requires adherence to the foregoing professional and ethical standards from all of its subcontractors in their independent contractor agreements.

Inquiries about Veritext Legal Solutions' confidentiality and security policies and practices should be directed to Veritext's Client Services Associates indicated on the cover of this document or at www.veritext.com.